LEGISLATIVE COUNCIL

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STATE OF NEBRASKA

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LINCOLN, NEBRASKA

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*Elected November 8, 1938 to fill vacancy expiring January 5, 1939

MEMBERS

Dist.	Name	Post Office	Occupation	Counties
1	Joseph C. Reavis	Falls City	Lawyer	Johnson, Pawnee, Richardson
2	Frank Sorrell	Syracuse	Auctioneer, Real Estate and Insurance	Otoe, Nemaha
3	Fred L. Carsten	Avoca	Farmer	Sarpy, Cass
4	William J. Norman	Omaha	Publisher	Douglas
5	John Adams, Jr.	Omaha	Attorney at law	Douglas
6	Sam Klaver	Omaha	Attorney and Publisher	Douglas
7	Charles F. Tvrdik	Omaha	Accountant	Douglas
8	Peter P. Gutoski	Omaha	Lawyer	Douglas
9	Amos Thomas	Omaha	Attorney at law	Douglas
10	Ernest A. Adams	Omaha	Broker	Douglas
11	Richard N. Johnson	Fremont	Lawyer	Dodge, Washington
12	E. M. Von Seggern	West Point	Editor and Publisher	Cuming, Burt
13	J. B. Rossiter	Walthill	Banker	Dakota, Thurston, Dixon
14	Martin J. Mischke	Crofton	Farmer and Rancher	Cedar, Knox
15	Carl H. Peterson	Norfolk	Attorney at law	Pierce, Madison
16	Emil E. Brodecky	Howells	Farmer	Stanton, Wayne, Colfax
17	M. E. Westley	Brainard	Cafe Owner, Barber	Butler, Saunders
18	James E. Reed	Lincoln	Farmer	Lancaster
19	George I. Craven	Lincoln	Lawyer	Lancaster
20	Lester L. Dunn	Lincoln	Lawyer	Lancaster
21	John S. Callan	Odell	Hardware, Implements	Gage
22	J. Lyndon Thornton	Fairbury	Retired Postmaster	Thayer, Jefferson
23	John E. Mekota	Crete	Lawyer	Fillmore, Saline
24	W. H. Diers	Gresham	General Merchandise	York, Seward

MEMBERS (Concluded)

Dist.	Name	Post Office	Occupation	Counties
25	Jay Hastings	Osceola	Real Estate	Hamilton, Polk, Clay
26	Tom Lambert	Columbus	Oil Business	Nance, Platte
27	Edwin Schultz	Elgin	Farmer	Antelope, Boone
28	Frank J. Brady	Atkinson	Coal, Grain, Feed	Holt, Boyd, Keya Paha, Rock
29	John F. Doyle	Greeley	Merchant	Wheeler, Greeley, Valley, Howard
30	Alva M. Johnston	Doniphan	Farmer	Hall, Merrick
31	Leland R. Hall	Roseland	Banker	Kearney, Adams
32	Daniel Garber	Red Cloud	Farmer	Franklin, Webster, Nuckolls
33	E. M. Neubauer	Orleans	Farmer	Harlan, Furnas, Red Willow
34	Fred A. Mueller	Kearney	Automobile Dealer	Buffalo, Sherman
35	A. C. Van Diest	Almeria	Rancher	Custer, Loup, Garfield
36	Swan Carlson	Funk	Farmer	Dawson, Gosper, Phelps
37	Hugh B. Ashmore	Palisade	Farmer	Perkins, Chase, Hayes, Dundy, Hitchcock
38	Charles R. Herrick	Curtis	Farmer	Lincoln, Frontier
39	R. M. Howard	Flats	Rancher	Keith, Deuel, Garden, Arthur, Grant, Hooker, McPherson, Thomas, Logan, Blaine
40	George B. Gross	Valentine	Lawyer	Cherry, Sheridan, Brown
41	Harry E. Gantz	Alliance	Attorney at law	Dawes, Box Butte, Sioux
42	L. B. Murphy	Scottsbluff	Merchant	Scotts Bluff
43	A. L. Miller	Kimball	Physician and Surgeon	Banner, Kimball, Cheyenne, Morrill

APPORTIONMENT

Congressional Districts

First District consists of the counties of Cass, Otoe, Nemaha, Richardson, Pawnee, Johnson, Lancaster, Seward, Butler, Saunders and Gage.

Second District consists of the counties of Sarpy, Douglas and Washington.

Third District consists of the counties of Burt, Thurston, Dakota, Dixon, Cuming, Dodge, Colfax, Stanton, Wayne, Cedar, Knox, Pierce, Madison, Platte, Nance, Boone, Antelope, Boyd, Holt, Wheeler, Greeley and Merrick.

Fourth District consists of the counties of Hall, Adams, Webster, Franklin, Kearney, Phelps, Harlan, Gosper, Furnas, Red Willow, Frontier, Hitchcock, Hayes, Perkins, Chase, Dundy, Nuckolls, Saline, Jefferson, Polk, York, Fillmore, Thayer, Hamilton and Clay.

Fifth District consists of the counties of Sioux, Scotts Bluff, Banner, Kimball, Dawes, Box Butte, Cheyenne, Sheridan, Deuel, Cherry, Grant, Arthur, Keith, Lincoln, McPherson, Hooker, Thomas, Logan, Dawson, Custer, Blaine, Brown, Keya Paha, Rock, Loup, Garfield, Valley, Sherman, Buffalo, Howard, Garden and Morrill.

Legislative Districts

District No. 1. The counties of Johnson, Pawnee, Richardson.

District No. 2. The counties of Otoe and Nemaha.

District No. 3. The counties of Sarpy and Cass.

District No. 4. Includes the following territory in the county of Douglas and the city of Omaha: All north of Bedford Avenue to Evans St. between 43rd. and 48th St.: all north of Evans St. between the Burlington RR and 27th Street; all south of G to the corporate limits, between 24th St. and its extension to the Burlington on U St., east to the corporate limits.

District No. 8. Includes the following territory in the county of Douglas and the city of Omaha: North from Woolworth Ave. to Pacific St., between 63rd and 66th Streets; north from Center to Pacific, between 60th and 63rd Sts.; north from Spring to Pacific, between 52nd and 60th Streets; north from F to Pacific, between 46th Ave. and 52nd St.; north from F to Pacific, between 42nd St. to 46th Ave.; north from F to Center, between 42nd St. and the Burlington RR; north from Center to Leavenworth, between 30th and 42nd Streets; north from Poppleton Ave., to Pacific St., between 28th and 30th Streets; north from Woolworth to Poppleton, between 29th and 30th Streets; north from Hickory to Woolworth, between Park Ave. and 30th St.; north from Center to Hickory, between 25th Ave. and 30th St.; north from H to F, between 42nd St. and the Burlington RR; north from H to G, between 24th and 27th Sts.; north from Madison to H, between 42nd and 24th and its extension to the RR; north from Harrison to Madison, between 45th St., and The Burlington RR.

District No. 9. Includes the following territory in the county of Douglas and the city of Omaha: North from Pacific to Howard, between the western corporate limits and 60th St.; north from Pacific to Dodge, between 56th and 60th Streets; north from Pacific to Charles, between the western corporate limits and 56th Ave.; north from Leavenworth to Charles, between 46th Ave. and 36th Street; north from Leavenworth to Cuming, between 30th and 36th Streets; north from Leavenworth to Farnam, between 30th and Park Ave.

District No. 10. Includes the following territory in the county of Douglas and the city of Omaha: North from Charles to Blondo, between western corporate limits and 49th St.; north from Blondo to Lake, between 66th St. and 50th Streets; all north of Lake between 72nd St. and 48th St.; and all of the rural precincts.

District No. 11. Includes Dodge and Washington.

District No. 12. Includes Cuming and Burt.

District No. 13. Includes Dakota, Thurston and Dixon.

District No. 14. Includes Cedar and Knox.

District No. 15. Includes Pierce and Madison.

District No. 16. Includes Stanton, Wayne and Colfax.

District No. 17. Includes Butler and Saunders.

District No. 18. Includes the following territory in the county of Lancaster and the city of Lincoln: All north of Potter between 22nd and 29th; all north of Vine between 29th and 58th; all north of R between 58th and 63rd; all east of 63rd within the corporate limits of the city of Lincoln; all of the county precincts of Lancaster county except Garfield.

District No. 19. Includes the following territory in the county of Lancaster and the city of Lincoln: Territory west of 29th between Potter and Vine to 22nd; west of 28th between Vine and O to 22nd; west of 27th between O and Randolph to 22nd; west of 22nd and north of Randolph and extension thereof on G to 14th, and west of 17th, between G and D to 14th, all west of 14th, and north of A to corporate limits, and Garfield precinct of Lancaster county.

District No. 20. Includes the following territory in the county of Lancaster and the city of Lincoln: All west of 14th, and south of A to corporate limits, all south of D between 14th and 17th, all south of G and its extension on Randolph between 17th and 22nd, all south of Randolph between 22nd and 27th, all south of Vine between 28th and 33rd to O, all east of 33rd between Vine and O, all east of 27th between O and Randolph, all south of Randolph and east of 27th to corporate limits.

District No. 21. The county of Gage.

District No. 22. The counties of Thayer and Jefferson.

District No. 23. The counties of Fillmore and Saline.

District No. 24. The counties of York and Seward.

District No. 25. The counties of Hamilton, Polk and Clay.

District No. 26. The counties of Nance and Platte.

District No. 27. The counties of Antelope and Boone.

District No. 28. The counties of Holt, Boyd, Keya Paha and Rock.

District No. 29. The counties of Wheeler, Greeley, Valley and Howard.

District No. 30. The counties of Hall and Merrick.

District No. 31. The counties of Kearney and Adams.

District No. 32. The counties of Franklin, Webster and Nuckolls.

District No. 33. The counties of Harlan, Furnas and Red Willow.

District No. 34. The counties of Buffalo and Sherman.

District No. 35. The counties of Custer, Loup and Garfield.

District No. 36. The counties of Dawson, Gosper and Phelps.

District No. 37. The counties of Perkins, Chase, Hayes, Dundy and Hitchcock.

District No. 38. The counties of Lincoln and Frontier.

District No. 39. The counties of Keith, Deuel, Garden, Arthur, Grant, Hooker, McPherson, Thomas, Logan and Blaine.

District No. 40. The counties of Cherry, Sheridan and Brown.

District No. 41. The counties of Dawes, Box Butte and Sioux.

District No. 42. The county of Scotts Bluff.

District No. 43. The counties of Banner, Kimball, Cheyenne and Morrill.

Judicial Districts

District No. 1 shall consist of the counties of Johnson, Pawnee, Nemaha and Richardson.

District No. 2 shall consist of the counties of Sarpy, Cass and Otoe.

District No. 3 shall consist of the county of Lancaster.

District No. 4 shall consist of the counties of Burt, Washington and Douglas.

District No. 5 shall consist of the counties of Hamilton, Polk, York, Butler, Seward and Saunders.

District No. 6 shall consist of the counties of Boone, Nance, Merrick, Platte, Colfax and Dodge.

District No. 7 shall consist of the counties of Fillmore, Saline, Thayer and Nuckolls.

District No. 8 shall consist of the counties of Thurston, Dakota, Dixon and Cedar.

District No. 9 shall consist of the counties of Knox, Antelope, Cuming, Pierce, Madison, Stanton and Wayne.

District No. 10 shall consist of the counties of Phelps, Kearney, Adams, Harlan, Franklin, Webster and Clay.

District No. 11 shall consist of the counties of Hall, Howard, Greeley, Valley, Wheeler, Garfield, Loup, Grant, Hooker, Thomas and Blaine.

District No. 12 shall consist of the counties of Custer, Sherman, Logan and Buffalo.

District No. 13 shall consist of the counties of McPherson, Lincoln, Deuel, Cheyenne, Kimball, Dawson, Keith, Banner and Arthur.

District No. 14 shall consist of the counties of Chase, Hayes, Frontier, Gosper, Furnas, Red Willow, Hitchcock, Perkins and Dundy.

District No. 15 shall consist of the counties of Brown, Keya Paha, Boyd, Rock and Holt.

District No. 16 shall consist of the counties of Cherry, Sheridan, Dawes, Box Butte and Sioux.

District No. 17 shall consist of the counties of Garden, Morrill and Scotts Bluff.

District No. 18 shall consist of the counties of Jefferson and Gage.

Provided, in the fourth district there shall be nine judges of the district court; in the third district there shall be four judges of the district court; in the fifth, sixth, ninth, tenth and eleventh districts there shall be two judges of the district court in each of said districts; in the thirteenth district there shall be two judges of the district court; in all other districts there shall be one judge of the district court in each of such other districts.

LEGISLATIVE SESSIONS SINCE THE LEGISLATURE ORGANIZED

First session. Held at Omaha, the State Capital, on July 4, A.D., 1866. Adjourned July 11, 1866. Session eight days. Convened in compliance with adoption of the Constitution. Membership consisted of thirteen senators and thirty-nine representatives elected from the territorial districts.

Second session. (Special) Held at Omaha, the State Capital, February 20, 1867, and adjourned February 21, 1867. Session two days. Session was called to consider certain conditions made by act of Congress for the admission of Nebraska into the Union.

Third session. (Special) Held at Omaha, the State Capital, May 16, 1867, and adjourned June 24, 1867. Session forty days. Session called by the Governor to carry out provisions of the new Constitution.

Fourth session. (Special) Held at Omaha, the State Capital, October 27, 1868. Adjourned October 28, 1868. Session two days. Called to provide for the election of Presidential and Vice-presidential electors.

Fifth session. (Special) Held at Lincoln, the State Capital, January 7, 1869. Adjourned February 15, 1869. Session forty days.

Sixth session. (Special) Held at Lincoln, where the State Capital was permanently located. Convened February 17, 1870. Adjourned March 4, 1870. Session sixteen days. Called to ratify the proposed Fifteenth Amendment to the Constitution of the United States, and special business.

Seventh session. (Special) Convened March 4, 1870. Adjourned March 4, 1870. Session one day.

Eighth session. Convened January 5, 1871. Adjourned on the 29th of March to the 30th of May for the purpose of sitting as a court to try impeachment proceedings against Governor Butler. On June 7, 1871, adjourned a second time until January 9, 1872, for the purpose of trying impeachment proceedings against Auditor John Gillespie. Adjourned January 26, 1872. Session 110 days.

Session	Convened	Adjourned
Ninth	Jan. 9, 1873	Mar. 4, 1873
Tenth (Special)	Mar. 27, 1873	Mar. 29, 1873
Eleventh	Jan. 7, 1875	Feb. 25, 1875
Twelfth (Special)	Dec. 5, 1876	Dec. 5, 1876
Thirteenth (Special)	Dec. 5, 1876	Dec. 5, 1876
Fourteenth	Jan. 2, 1877	Feb. 15, 1877
Fifteenth	Jan. 7, 1879	Feb. 25, 1879

Sixteenth	Jan. 4, 1881	Feb. 26, 1881
Seventeenth (Special)	May 10, 1882	May 24, 1882
Eighteenth	Jan. 2, 1883	Feb. 26, 1883
Nineteenth	Jan. 6, 1885	Mar. 5, 1885
Twentieth	Jan. 4, 1887	Mar. 31, 1887
Twenty-first	Jan. 1, 1889	Mar. 30, 1889
Twenty-second	Jan. 6, 1891	Apr. 4, 1891
Twenty-third	Jan. 3, 1893	Apr. 8, 1893
Twenty-fourth	Jan. 1, 1895	Apr. 5, 1895
Twenty-fifth	Jan. 5, 1897	Apr. 9, 1897
Twenty-sixth	Jan. 3, 1899	Mar. 31, 1899
Twenty-seventh	Jan. 1, 1901	Mar. 28, 1901
Twenty-eighth	Jan. 6, 1903	Apr. 8, 1903
Twenty-ninth	Jan. 3, 1905	Mar. 30, 1905
Thirtieth	Jan. 1, 1907	Apr. 4, 1907
Thirty-first	Jan. 5, 1909	Apr. 1, 1909
Thirty-second	Jan. 3, 1911	Apr. 6, 1911
Thirty-third	Jan. 7, 1913	Apr. 16, 1913
Thirty-fourth	Jan. 5, 1915	Apr. 8, 1915
Thirty-fifth	Jan. 2, 1917	Apr. 24, 1917
Thirty-sixth (Special)	Mar. 26, 1918	Apr. 8, 1918
Thirty-seventh	Jan. 7, 1919	Apr. 17, 1919
Thirty-eighth (Special)	July 29, 1919	Aug. 2, 1919
Thirty-ninth (Special)	Oct. 14, 1919	Oct. 18, 1919
Fortieth	Jan. 4, 1921	Apr. 28, 1921
Forty-first (Special)	Jan. 24, 1922	Feb. 2, 1922
Forty-second	Jan. 2, 1923	May 2, 1923
Forty-third	Jan. 6, 1925	Apr. 1, 1925
Forty-fourth	Jan. 4, 1927	Apr. 23, 1927
Forty-fifth	Jan. 1, 1929	Apr. 24, 1929
Forty-sixth (Special)	Mar. 4, 1930	Mar. 15, 1930
Forty-seventh	Jan. 6, 1931	May 2, 1931
Forty-eighth (Special)	June 9, 1931	June 20, 1931
Forty-ninth	Jan. 3, 1933	May 9, 1933
Fiftieth	Jan. 1, 1935	May 25, 1935
Fifty-first (Special)	Oct. 28, 1935	Nov. 25, 1935
Fifty-second	Jan. 5, 1937	May 15, 1937
Fifty-third	Jan. 3, 1939	June 7, 1939

RULES OF LEGISLATURE

RULE I

Duties of the President

1. The Lieutenant Governor shall preside as President of the Legislature, and the Speaker, as President pro tempore shall preside when the Lieutenant Governor shall be absent, incapacitated, or shall act as Governor. All references herein made to the President shall be construed as meaning the Speaker whenever he may preside in the absence of the Lieutenant Governor.

2. The President shall take the chair each legislative day at the hour to which the Legislature shall have adjourned at the last sitting. He shall call the Legislature to order, and a quorum being present, shall proceed to business in the manner and order prescribed by these rules. A majority of the members elected to the Legislature shall constitute a quorum.

3. If the President finds that a number less than a quorum is present, he shall so state, and a majority of the members present, if five in number, may compel the presence of all members subject to a call of the Legislature.

4. He shall preserve order and decorum, and in case of disturbance or disorderly conduct in the galleries, or in the lobby, may cause the same to be cleared.

5. He shall sign, in the presence of the Legislature while the same is in session and capable of transacting business, all bills and resolutions passed by the Legislature. All writs, warrants and subpoenas issued by the order of the Legislature shall be under his hand and seal, attested by the Clerk.

6. He shall rise to put a question, but he may state it sitting.

7. He may speak to a point of order in preference to members, rising from his seat for that purpose, and shall decide the questions of order, subject to an appeal to the Legislature by any members, on which appeal no member may speak more than once, unless by leave of the Legislature.

8. The President shall have the right to name any member to perform the duties of the Chair, but such substitution shall not extend beyond the adjournment.

9. The Lieutenant Governor when presiding over the Legislature shall vote only when the Legislature is equally divided.

10. In the absence of both the Lieutenant Governor and the Speaker the chairman of the Judiciary Committee shall preside, and shall exercise all the powers herein conferred on the President, except the authority to sign bills or resolutions that may be passed by the Legislature.

RULE II

Officers Elected and Their Duties

1. At the commencement of its first session the Legislature shall nominate by informal ballot and shall elect by ballot the following officers:

Speaker.
Clerk of the Legislature.
Assistant Clerk.
Sergeant-at-arms.
Doorkeeper—Assistant Sergeant-at-arms.
Postmaster.
Chaplain.

2. The vote of a majority of the elected members shall be required for the election of each such officer.

3. In general the duties of the officers of the Legislature shall be those usual to such offices.

4. The Clerk of the Legislature shall keep a brief but accurate daily journal of the proceedings of the Legislature. He shall enter in the daily journal messages of the Governor in full; titles of bills; every vote, including the ayes and nays, and a brief statement of the contents of each resolution, petition, and memorial or other paper presented for the consideration of the Legislature.

5. The Assistant Clerk, in the absence of the Clerk, shall be authorized to exercise all of the duties herein prescribed for the Clerk of the Legislature, including the signing of those papers which may require the signature of the Clerk of the Legislature.

6. The Sergeant-at-arms shall attend the Legislature during its sittings, to execute the commands of the Legislature from time to time, together with all such processes issued by authority thereof as shall be directed to him by the presiding officer.

7. The Doorkeeper or Assistant Sergeant-at-arms shall enforce strictly the rules as they relate to the privileges of the legislative chamber.

8. The Postmaster shall superintend the post office kept in the capitol for the accommodation of the members, and shall be responsible for the prompt and safe delivery of their mail.

9. The Chaplain shall attend and shall open with prayer each day's sitting of the Legislature.

10. Each permanent officer shall take an oath to support the constitution of the United States, and the constitution of the state of Nebraska, and to faithfully discharge the duties of his office according to the best of his ability.

11. Any officer of the Legislature may be recalled upon a two-thirds majority vote of the members elected to the Legislature, and the vacancy thus created shall be filled by a majority vote of the members.

RULE III

Employees, Their Selection and Duties

1. The Committee on Legislative Administration to be elected by the Legislature upon the recommendation of the Committee on Committees, and to consist of one member from each congressional district, shall have authority to select and employ suitable persons for all of the positions which may be determined upon as necessary by the Legislature.

2. The Committee on Legislative Administration shall have complete supervision of all employees, including the right to discharge any one or more of them. All employees shall be selected without reference to party affiliation, and shall be chosen upon the basis of merit.

3. The Committee on Legislative Administration shall print no paper or document, except bills and the daily journal, unless authorized by a majority vote of the Legislature.

4. The committee shall make a detailed and itemized report to the Legislature each month, concerning the number of employees, and the amount paid for their services, especially setting out the amount of regular time and overtime and to whom paid.

5. The Committee on Legislative Administration shall have general charge, except as may be provided by law or by rule, of such parts of the capitol and its passages as are or may be set apart for the use of the Legislature and its officers and employees.

RULE IV

Members

1. Every member shall be present within the legislative chamber during the sittings of the Legislature and shall attend the regular meetings of the standing committees of which he is a member, unless excused or necessarily prevented.

2. The presence of any member may be compelled, if necessary, by sending the Sergeant-at-arms, or such other person or persons, as the membership present may authorize, at the expense of such absent member, unless such excuse for non-attendance is made, as the Legislature may judge sufficient; and in that case the expense shall be paid out of the contingent fund.

3. Upon the completion of the roll call on the final passage of a bill any member may explain the absence of any other member, if requested in writing to do so, may state at his request how he would have voted if present, and such statement, if submitted to the Clerk in writing, and containing not more than thirty words, shall be entered in the daily journal.

4. If during consideration of bills on either the general file or the select file the introducer of a bill requests the Legislature to pass over said bill, it shall be placed at the bottom of the file, except by unanimous consent. Provided, if some member other than the introducer makes the request the bill shall retain its place on the file.

5. No member shall be expelled except by a vote of two-thirds of all members elected to the Legislature, and no member shall be twice expelled for the same offense.

RULE V

Decorum and Debate

1. When any member desires to speak in debate or to deliver any matter to the Legislature, he shall rise from his seat and respectfully address himself to "Mr. President", and when recognized shall confine himself to the question and shall avoid personalities.

2. No member shall speak more than twice upon any one question in debate during the same legislative day without leave of the Legislature, except in explanation, unless he be the mover, proposer or introducer of the matter pending, in which case he shall be permitted to speak in reply, but not until every other member choosing to speak shall have spoken.

3. No member shall speak to another, except when he may yield to a question, or otherwise interrupt the business of the Legislature. No member shall use profane or abusive language when speaking to or about another member.

4. If any member in speaking or otherwise transgress the rules of the Legislature, the presiding officer shall, or any member may, call him to order, in which case he shall immediately sit down, unless permitted on motion of another member to explain, and the Legislature shall, if appealed to, decide on the case without debate; if the decision is in favor of the member called to order, he shall be at liberty to proceed, but not otherwise; and if the case requires it, he shall be liable to censure or such punishment as the Legislature may deem proper.

5. If a member is called to order for words spoken in debate, the member calling him to order shall indicate the words excepted to, and they shall be taken down in writing at the Clerk's desk and read aloud to the Legislature; but he shall not be held to answer, nor be subject to the censure of the Legislature therefor, if further debate or other business has intervened.

6. A member shall be permitted to explain his vote upon any question, but such explanation of his vote on roll call shall be limited to fifty words, and shall not be entered in the daily journal unless the same be submitted to the Clerk in writing.

RULE VI

Committee on Committees

1. At the commencement of its first session the Legislature shall elect a Committee on Committees to consist of eleven members, one at large who shall be chairman, and two from each congressional district to be nominated by the members residing therein.

2. The Committee on Committees shall recommend to the Legislature for its approval and adoption the following standing committees, each with the number of members as hereinafter set forth. A majority of all of the members of the Committee on Committees shall be required to decide assignments.

Agriculture (including conservation, fish and game, live stock and grazing)	9 members
Appropriations (formerly referred to as the committee on finance, ways and means, and including state institutions)	11 members

Banking, Commerce and Insurance	9 members
Claims and Deficiencies	5 members
Education (including university and normal schools, public schools and libraries and school lands and funds)	9 members
Enrollment and Review (including arrangement, phraseology and correlation)	5 members
Government (including state, county and municipal governments; elections and apportionment)	9 members
Judiciary	9 members
Labor and Public Welfare (including social security and child labor)	9 members
Legislative Administration (including employees, printing, audit and accounts)	5 members
Public Health and Miscellaneous Subjects	5 members
Public Works	9 members
Revenue (including revenue and taxation, salaries, licenses and fees)	9 members
Rules (including procedure and order of business)	5 members

3. The Committee on Committees shall select, aside from the standing committees of the Legislature, all other committees, except where otherwise ordered by the Legislature.

4. The Committee on Committees shall arrange and publish a schedule of regular standing committee meetings in such manner as to avoid, as far as possible, conflicts in the assignment of members to such committees, and shall cause a copy of such schedule to be posted in some conspicuous place in the capitol near the legislative chamber.

RULE VII

Standing Committees

1. Standing committees shall consider and report without unnecessary delay all bills and resolutions referred to them.

2. The chairman of each standing committee shall be chosen by the Committee on Committees.

3. Each standing committee shall elect from its membership a vice-chairman to serve in the absence of the chairman.

4. Before taking final action on a bill or resolution, a committee shall hold a public hearing thereon and shall give at least five (calendar) days' notice by publication in the legislative journal of the date and time of said hearing.

5. The Legislature may, by a vote of a majority of the elected members, request a report from any standing committee at any time after said committee shall have been in possession of a bill or resolution for at least ten legislative days.

6. Each standing committee shall, when reporting a bill, submit therewith a brief statement of the main purpose of the bill. Said statement shall give the committee's reason for so reporting and the minority view, if such there be, shall also be given; copies of such statement shall be furnished to the members.

7. Standing committees shall be authorized to combine and to correlate the provisions of different bills referred to them and related to the same subject; provided that where the changes made are such as to constitute a substitute bill the committee shall cause the same to be so introduced and printed.

8. When a standing committee introduces a bill as provided in the preceding section, and if the required committee hearings have been held thereon, the bill, after its second reading, shall be placed upon the general file.

9. Each standing committee shall keep a record of the proceedings in committee meetings. Any two members of the committee may demand a roll call upon the reporting of any bill, or upon amendments thereto, and the vote so taken shall be made a part of the committee report, and shall be entered in the daily journal.

10. Standing committees shall take final action in reporting bills at regularly scheduled committee meetings only.

11. In reporting bills to the Legislature, whether with or without amendments, a standing committee shall recommend (a) that the bill reported be placed on the general file for the consideration of the Legislature, or (b) that the bill reported be indefinitely postponed.

12. If the standing committee report on a bill be to indefinitely postpone, the bill shall stand indefinitely postponed, subject to reconsideration in the manner provided by the rules of the Legislature.

13. The time of the meetings of standing committees shall be at 2 p. m., unless otherwise ordered by the Legislature.

14. The Committee on Enrollment and Review shall be a privileged committee, and shall be in order at any time in reporting bills which have been engrossed for third reading and final passage.

RULE VIII

Order of Business

1. The order of business of the Legislature shall be as follows:
    a. Prayer by the Chaplain.
    b. Roll call.
    c. Call for correction of the journal.
    d. Petitions and memorials.
    e. Notice of committee hearings.
    f. Report of standing committees.
    g. Report of select committees.
    h. Resolutions.
    i. Introduction of bills.
    j. Bills on first reading by title.
    k. Bills on second reading by title.
    l. Bills on third reading.
    m. Special order of the day.
    n. Consideration of bills on select file.
    o. Consideration of bills on general file.
    p. Unfinished business, including messages on the President's desk.
    q. Miscellaneous business.

2. The unfinished business in which the Legislature was engaged at the adjournment of the last preceding sitting shall have the preference in the special order of the day.

3. The hour of meeting of the Legislature shall be at 9:00 a. m. of each legislative day; hour of adjournment shall not be later than 1:00 p. m., unless otherwise ordered by the Legislature.

4. Each day except Saturday and Sunday shall be considered a legislative day, unless otherwise specifically ordered by the Legislature.

RULE IX

Daily Journal

1. A daily journal of the proceedings of the Legislature, as prepared by the Clerk, shall be printed and placed each day upon the desks of the members; and the presiding officer shall call in the regular order for corrections thereof. After corrections, if any, are made, the journal shall stand approved without motion.

2. The bound journal of the session shall be printed from the corrected daily journal.

3. Additional copies of the daily journal, to be mailed out at his direction, shall be supplied for the use of each member, in such manner as shall be provided by the Legislature.

4. In addition to the title, only such parts of a bill as shall be affected by proposed amendments shall be entered in the daily journal.

RULE X

Manner and Record of Voting

1. All votes shall be taken viva voce. Questions shall be distinctly put in this form, to-wit: "Those who are in favor of the question say 'aye'; those who are opposed to the question say 'no'."

2. If a division is called for or if the presiding officer is in doubt, he shall cause the result to be obtained by means of the "electric roll call system".

3. Any member may call for the ayes and nays upon any question, and upon the declaration of the ayes and nays by the members, the record thereof shall be made and taken upon the "electric roll call system", unless the Legislature by a majority vote decides that a roll call shall be taken.

4. In taking the ayes and nays, and upon the call of the Legislature, the members shall register their vote upon the "electric roll call system". When the ayes and nays are taken upon any question in the manner heretofore indicated, no member shall be permitted to vote after the decision is announced from the chair.

5. In all instances where the vote necessary to adopt a motion or other proposition is other than that of a majority voting upon the question, the presiding officer shall, unless the Legislature by unanimous vote decides otherwise, cause the result thereof to be obtained by means of the "electric roll call system".

6. Any member may demand the verification of the vote on roll call. Provided that on the final passage of bills the verification shall always be made.

7. A call of the Legislature must be seconded by at least five members. Thereupon, and upon call of the presiding officer, each member present shall indicate his presence upon the "electric roll call system". The Clerk shall note the names of the absentees. A majority of the members present, if five in number, may compel the presence of all members subject to a call of the Legislature. The proceedings under the call may be suspended at any time by a majority vote of the members present, and when so suspended shall not again be ordered on the proposition pending except by a majority vote of the members present and voting thereon.

8. Any member may call for a division of a question, which shall be divided if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Legislature. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out being lost, shall not preclude an amendment or a motion to strike out or insert.

RULE XI

Motions and Their Precedence

1. When a motion has been made and seconded, the presiding officer shall state it, or being in writing, shall cause it to be read aloud by the Clerk before being debated.

2. Every motion shall be reduced to writing, if the presiding officer or any member desires it.

3. After a motion has been stated by the presiding officer, or read by the Clerk, it shall be deemed in possession of the Legislature, but may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the yeas and nays, except a motion to reconsider which shall not be withdrawn without leave.

4. When a question is under debate no motion shall be received but (a) to adjourn; (b) to lay on the table; (c) for the previous question; (d) to postpone to a certain time; (e) to commit or amend; (f) to postpone indefinitely; except that motions to indefinitely postpone and amend do not yield to each other; which several motions shall have precedence in the order in which they are arranged; and no motion to postpone to a certain time, to commit or to postpone indefinitely, being decided, shall again be allowed on the same day at the same stage of the bill or proposition.

5. A motion to strike out the enacting clause of a bill shall have precedence over a motion to amend, and if carried, is equivalent to rejection of the bill.

6. A motion to adjourn, or a motion to fix the day to which the Legislature shall adjourn shall always be in order, except:

- a. While a member is speaking.
- b. When a motion to adjourn has just been defeated.
- c. When a motion to fix the day to which the Legislature shall adjourn has just been defeated.
- d. After the third reading of a bill and during roll call thereon.

7. Pending a motion to suspend the rules, the presiding officer may entertain one motion to adjourn, but after the result thereon is announced he shall entertain no other motion until the vote has been taken on suspension.

8. The hour at which the Legislature adjourns shall be entered in the daily journal.

RULE XII

Bills—General Provisions

1. When the introduction of bills is called for any member or standing committee may introduce one or more bills.

2. Members shall introduce such bills only as they are willing to personally endorse and support.

3. Bills shall be given preference on the general file in the order in which they shall be reported from the standing committees, and no change shall be made in such order, except by a majority vote of the elected members.

4. In the consideration of bills on general or select file, amendments offered, but not adopted, shall not be entered in the journal except where a record vote is demanded.

5. Every bill shall receive three readings previous to its passage, by title when first introduced, likewise by title upon a legislative day subsequent to its introduction, and the bill and all amendments thereto shall be read at large before the vote is taken upon its final passage.

6. After the second reading of a bill a printed copy thereof shall be provided for the use of each member of the Legislature.

7. An amendatory bill shall be so prepared and printed as to

show the new matter proposed, old matter to be retained, and old matter to be omitted from the statutes.

8. All bills before being advanced to third reading and final passage shall be engrossed by typewriter, and if amended, shall be reprinted in the manner prescribed in the preceding section, and copies thereof shall be supplied for the use of the members.

9. Upon the final passage of a bill, or of a resolution if the same require the same consideration as a bill, the vote shall be by yea and nay, and this rule shall not be suspended.

10. The question after the third reading of a bill shall be: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' " If the emergency clause is contained in the bill, the words "with the emergency clause attached" shall be added to the question.

11. When a bill containing the emergency clause does not receive the required two-thirds constitutional majority on third reading, then the emergency clause shall be considered stricken and the bill without the emergency clause shall be pending on its third reading.

12. Upon the day of receipt of a message from the Governor announcing his veto of a bill, or on either of the next five legislative days, any member may move that the bill so vetoed be taken up for passage. Whereupon, the question shall be "shall the bill pass, notwithstanding the objection of the Governor?"

13. The general appropriation bills, necessary for the support of the state government for the biennium, shall take precedence over all other bills on the general file.

14. It shall require a vote of a majority of the members elected to expend money by the Legislature or to change the compensation of any officer or employee.

15. No bill shall contain more than one subject, and the same shall be clearly expressed in the title. And no law shall be amended unless the new act contains the section or sections, as amended and the section or sections so amended shall be repealed.

16. No bills shall be introduced after the twentieth legislative day, except upon the recommendation of the Governor, or in the manner defined in Sections 7 and 8, of Rule VII.

17. A bill shall be referred to as Legislative Bill No. .....

RULE XIII

Bills—Stages in Consideration

1. Introduction and first reading.

2. Second reading and reference to standing or select committee.

3. Consideration by standing or select committee, together with desired committee hearings.

4. Report by standing or select committee, and reference to the general file.

5. Consideration and general debate by the Legislature, wherein each section shall be open to amendment as read, and the amendments, if any, recommended by the standing committee shall first be considered for adoption or rejection, after which other amendments may be offered.

6. Reference to the Committee on Enrollment and Review for recommendations relative to arrangement, phraseology and correlation, unless indefinitely postponed or recommitted to a standing committee.

7. Report by the Committee on Enrollment and Review and reference to the select file.

8. Consideration a second time by the Legislature, in review, wherein any of the following motions shall be in order:

   a. A motion to approve or reject any or all of the changes recommended by the Committee on Enrollment and Review.

   b. A motion to agree to any specific amendment clearly intended to correct an error.

   c. A motion to adopt a unanimous consent amendment, to which no objection shall be offered.

   d. A motion to recommit to the proper standing committee.

   e. A motion to recommit to the general file for one or more specific amendments.

   f. A motion to indefinitely postpone.

   g. Provided, no bill shall be considered on select file until three legislative days after its reference from the general file to the Committee on Enrollment and Review.

9. Re-reference to the Committee on Enrollment and Review for engrossment, unless recommitted to a standing committee or indefinitely postponed.

10. Report by the Committee on Enrollment and Review and reference to the third reading file, or to select file for specific amendment.

11. Consideration on third reading and final passage; provided that at any time before the roll call shall have begun on the third reading of the bill it shall be in order to move:

a. To recommit the bill to the Committee on Enrollment and Review to correct an error, and for re-engrossment.

b. To recommit the bill to the proper standing committee, with or without instructions.

c. To recommit to select file for specific amendment.

12. No bill shall be placed upon third reading and final passage until—

a. Five legislative days after the initial reference to the Committee on Enrollment and Review.

b. Two legislative days after its reference to third reading file.

c. Printed copies of the bill in its final form, as amended shall have been available to members and on their desks for at least one legislative day.

RULE XIV

Amendments

1. When a motion or other proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order, and it shall also be in order to offer a further amendment by way of substitute, to which one amendment may be offered, but which shall not be voted on until the original matter is perfected, but either may be withdrawn before amendment or decision is had thereon.

2. Amendments to the title shall not be in order during the consideration of a bill or resolution on general or select file until the bill or resolution shall have been considered in full.

3. When an amendment proposed to any pending measure is laid on the table, it shall not carry with it, or prejudice such measure.

4. When the Legislature is considering bills on either general or select file, after giving consideration to standing committee amendments, it shall give preference to such amendments as may have been on file with the Clerk, with copies on the members' desks for one legislative day in advance.

5. No motion or proposition, or subject different from that under consideration shall be admitted under color of amendment.

6. No bill or resolution shall at any time be amended by annexing thereto, incorporating therewith, or substituting therefor, any other bill or resolution before the Legislature.

RULE XV

Resolutions

1. Resolutions which propose amendments to the state constitution; propose the ratification of amendments to the federal constitution; provide for the grant of money out of the contingent or any other fund, or require the approval of the Governor shall be considered in the same manner as that adopted for the consideration of bills.

2. All other resolutions, except by the unanimous consent of the members present and voting, shall lie over for consideration until the next legislative day.

3. When called up for consideration on the second legislative day after its introduction, any such resolution shall be referred to the proper standing committee, if as many as five members object to its immediate consideration at that time.

4. A resolution shall be referred to as Legislative Resolution No. .....

RULE XVI

Petitions and Memorials

1. Every petition, or memorial, or other paper shall be referred to the proper committee without putting a question for that purpose, unless the reference be objected to by any member at the time such petition, memorial, or other paper is presented, in which case the Legislature shall decide the question of reference without debate.

2. Before any petition or memorial addressed to the Legislature is received and read at the table, whether the same be presented by

the presiding officer or a member, a brief statement of the contents of the petition or memorial may be verbally made by the introducer.

RULE XVII

The Previous Question

1. The previous question shall be in this form: "Shall the debate now close?"

2. It shall be admitted when demanded by five or more members and must be sustained by the vote of a majority of the elected members, and until decided shall, except as provided in Section 5 of this rule, preclude further debate and all amendments and motions, except one motion to adjourn and one motion to lay on the table.

3. On a previous question there shall be no debate, all incidental questions of order, arising after a motion is made for a previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

4. A call of the Legislature shall not be in order after the previous question is ordered, unless it shall appear upon an actual count by the presiding officer that a quorum is not present.

5. When the previous question shall have been ordered on a proposition under debate, the mover, proponent or introducer of such proposition shall be given the right to close the debate thereon.

RULE XVIII

Reconsideration

1. When a motion has once been made and carried in the affirmative or negative, it shall be in order for any member voting with the prevailing side or not voting to move a reconsideration thereof on the same day or on either of the next two legislative days; and if the Legislature shall refuse to reconsider, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order unless by unanimous consent.

2. Every motion to reconsider shall take precedence of all other questions except a motion to adjourn.

3. For its adoption a motion to reconsider shall require the vote of a majority of the elected members, except where such motion be to reconsider the vote on a bill which lacked the constitutional majority on a third reading, then a three-fifths vote shall be required for adoption.

RULE XIX

Special Order and Adjournment

1. When a bill shall have been made a special order for a definite time and an adjournment shall intervene for a time beyond the time fixed for such special order, then in that event the bill so made a special order shall be placed in its order on the general file.

RULE XX

Questions and References

1. The Lieutenant Governor, the Speaker, and the Chairman of the Committee on Committees shall constitute the Reference Committee for the assignment of bills and resolutions to the various standing committees.

2. Any member may object to the reference of any bill or other proposition, and correction in case of error in reference may be made by the Legislature on any legislative day immediately following corrections of the daily journal, by unanimous consent, or by the vote of a majority of the elected members.

3. When motions are made for reference of the same subject to a select committee and to a standing committee, the question on reference to the standing committee shall be put first.

RULE XXI

Communications from the Governor

1. Messages from the Governor may be received at any stage of the proceedings, except when a question is being put, the yeas and nays are being called for, the ballots are being counted, or a question of order or a motion to adjourn is pending.

2. All nominations made to the Legislature by the Governor requiring confirmation by the Legislature shall be referred to the Committee on Committees and the same procedure shall be followed as governs the handling of other matters before standing committees, unless the Legislature shall otherwise direct by unanimous vote.

RULE XXII

Questions of Privilege

Questions of privilege shall be, first, those affecting the rights of the Legislature collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of members, individually, in their representative capacity only; and shall have precedence of all other questions, except motions to adjourn.

RULE XXIII

Privileges of the Floor

No person shall be admitted to the floor of the Legislature except the following:

Members of the Legislature, officers and employees

State officers, their deputies and clerks

Judges of the Supreme Court

Judges of the District Courts

Senators and Representatives in Congress

Reporters of regularly accredited newspapers and broadcasting stations

and such other persons as the Legislature may deem proper to admit.

RULE XXIV

Suspension of Rules

These rules may be suspended by a two-thirds majority vote of the elected members, and may be amended by a three-fifths majority vote of the members elected. Provided any proposed amendment must first be referred to the Committee on Rules for consideration and report.

RULE XXV

Gregg's Parliamentary Law

The rules of parliamentary practice comprised in Gregg's Parliamentary Law shall govern the Legislature in all cases to which they are applicable, and in which they are not inconsistent with the standing rules of the Legislature.

LEGISLATIVE JOURNAL

FIFTY-THIRD SESSION

FIRST DAY

Legislative Chamber,

Lincoln, Nebraska, January 3, 1939.

Pursuant to the provisions of Section 10, Article III of the Constitution of Nebraska, the fifty-third session of the Legislature assembled in Legislative Hall of the Capitol Building at the hour of 12 o'clock, noon, Tuesday, January 3, 1939, and was called to order by the Lieutenant Governor, Nate Parsons.

Prayer was offered by Reverend M. B. Oggel of Lincoln, Nebraska.

MOTION—Rules

Mr. President: I move that we adopt the rules of the last session until further ordered by the Legislature.

(Signed) Von Seggern.

The motion prevailed.

The roll was called and the following members were present:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

MOTION—Temporary Assistant Clerk

Mr. President: I move that Max Adams be appointed as temporary assistant to the Clerk.

(Signed) Tvrdik.

The motion prevailed and the President appointed Mr. Adams temporary assistant clerk.

MOTION—Temporary Sergeant-at-arms

Mr. President: I move that Perry Reed be appointed to serve as temporary sergeant-at-arms and that he be authorized to select the door-keepers.

(Signed) Garber.

The motion prevailed and Mr. Reed was appointed temporary sergeant-at-arms.

MOTION—Committee on Credentials

Mr. President: I move that a committee of five be appointed on credentials.

(Signed) Murphy.

The motion prevailed and the President appointed the following members to serve on said committee:

Murphy
Rossiter
Craven
Thomas
Ashmore

Mr. Thomas asked to be relieved from that duty and that another be appointed in his place. The President appointed Mr. Hall to serve in his stead. The committee retired.

Recess

At 12:40 p. m. the President declared a recess until 1:30 p. m.

After Recess

The Legislature reconvened at 2:04 p. m. President Parsons presiding.

REPORT OF COMMITTEE ON CREDENTIALS

Your Committee on Credentials begs leave to report that we find the following to be the duly elected members of the Legislature of the State of Nebraska for the fifty-third session, and that there is a contest in District Five:

Dist.	Name	Dist.	Name
1	Joseph C. Reavis	23	J. E. Mekota
2	Frank Sorrell	24	W. H. Diers
3	Fred L. Carsten	25	Jay Hastings
4	William Norman	26	Tom Lambert
5	John Adams, Jr.	27	Edwin Schultz
6	Sam Klaver	28	Frank J. Brady
7	Charles F. Tvrdik	29	John Doyle
8	Peter Gutoski	30	A. M. Johnston
9	Amos Thomas	31	Leland R. Hall
10	Ernest A. Adams	32	Dan Garber
11	Richard Johnson	33	E. M. Neubauer
12	E. M. Von Seggern	34	Fred A. Mueller
13	J. B. Rossiter	35	A. C. Van Diest
14	Martin J. Mischke	36	Swan Carlson
15	Carl H. Peterson	37	Hugh B. Ashmore
16	Emil E. Brodecky	38	Charles R. Herrick
17	M. E. Westley	39	R. M. Howard
18	James E. Reed	40	George B. Gross
19	George I. Craven	41	Harry E. Gantz
20	Lester L. Dunn	42	L. B. Murphy
21	John Callan	43	A. L. Miller
22	J. Lydon Thornton		

(Signed) Murphy, Chairman,
Hall
Ashmore
Craven
Rossiter.

MOTION—To Adopt Report

Mr. President: I move we adopt the report.

(Signed) Murphy.

The motion prevailed.

MOTION—Committee to Wait Upon Chief Justice

Mr. President: I move that a committee of three be appointed to wait upon the Chief Justice and escort him to the legislative chamber for the purpose of administering the oath of office to the members-elect.

(Signed) Carsten.

The motion prevailed, and the President appointed the following members to serve on said committee: Carsten, (chairman) Mekota, Van Diest.

MEMBERS' OATH OF OFFICE

STATE OF NEBRASKA, } ss.
Lancaster County }

I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Nebraska, and will faithfully discharge the duties of member of the legislature according to the best of my ability, and that at the election at which I was chosen to fill said office, I have not improperly influenced in any way the vote of any elector, and have not accepted, nor will I accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company, or person, or any promise of office, for any official act or influence (for any vote I may give or withhold on any bill, resolution or appropriation), so help me God.

Hugh B. Ashmore
George B. Gross
L. B. Murphy
J. B. Rossiter
Tom Lambert
W. H. Diers
James E. Reed
Joseph C. Reavis
Lester L. Dunn
Carl H. Peterson
Edwin Schultz
Emil E. Brodecky
Frank J. Brady
Amos Thomas
Ernest A. Adams
Leland R. Hall
J. Lyndon Thornton
Martin J. Mischke
Richard Johnson
Harry E. Gantz
Peter P. Gutoski
Daniel Garber
A. M. Johnston
Jay Hastings
Charles R. Herrick
John Adams, Jr.
George I. Craven
R. M. Howard
E. M. Von Seggern
Swan Carlson
W. Norman
Charles F. Tvrdik
A. L. Miller
John Mekota
John F. Doyle
A. C. Van Diest
Fred L. Carsten
E. M. Neubauer
Sam Klaver
M. E. Westley
John S. Callan
Frank Sorrell
Fred A. Mueller

Subscribed in my presence and sworn to before me this 3rd day of January, 1939.

(Seal) (Signed) Robert G. Simmons,
Chief Justice of Supreme Court
of Nebraska.

MOTION—Permanent Organization

Mr. President: I move that we proceed to the election of the officers of the Legislature, that we vote by ballot and that the vote of the majority of the elected members be required for the election of each such officer.

(Signed) Gantz.

The motion prevailed.

MOTION—Informal Ballot

Mr. President: I move that we nominate candidates for office by means of informal ballot.

(Signed) Lambert.

The motion prevailed.

ELECTION OF SPEAKER

Mr. President: I move that we proceed to vote on a candidate for speaker.

(Signed) Carlson.

The motion prevailed.

The President appointed as tellers, Mr. Herrick and Mr. Reavis.

Nominating ballot for Speaker:

Edwin Schultz	15
W. H. Diers	17
A. L. Miller	11

Mr. Miller withdrew from the next ballot.

Formal ballot for Speaker:

Edwin Schultz	20
W. H. Diers	23

The Chair declared W. H. Diers Speaker.

ELECTION OF CLERK

Mr. President: I move that we proceed to vote on Clerk of the Legislature.

(Signed) Herrick.

The motion prevailed.

Nominating ballot for Clerk:

Hugo F. Srb	41
Howard	2

Mr. Howard withdrew from the ballot and moved that the vote for Mr. Srb as Clerk be made unanimous.

The motion prevailed.

ELECTION OF SERGEANT-AT-ARMS

Mr. President: I move that the Clerk read the list of candidates for sergeant-at-arms and that names of other candidates be sent to the Clerk's desk.

(Signed) Gantz.

The motion prevailed.

Mr. Diers suggested that the names of nominees be written on the blackboard and the following names were posted:

Frost
Markel
Murray
Santo
Harm
Krieg
Craig
Anderson
Lawrence
Propst
Hill
Vance
Keogh
Regan
Rosier

Nominating ballot for sergeant-at-arms:

Frost	3	Anderson	6
Murray	1	Lawrence	1
Santo	14	Propst	5
Keogh	3	Hill	1
Regan	5	Rosier	1
Craig	2		

Mr. President: I move that we proceed to vote on the names of the first four receiving the highest vote.

(Signed) Murphy.

The motion prevailed.

Electing ballot for sergeant-at-arms:

Santo	30
Regan	2
Propst	5
Anderson	5

Mr. President: I move that Santo receiving a majority of all votes cast, be declared sergeant-at-arms.

(Signed) Hastings.

The motion prevailed.

ELECTION OF ASSISTANT SERGEANT-AT-ARMS

Mr. President: I move that we proceed to elect the assistant sergeant-at-arms.

(Signed) Mueller.

The motion prevailed.

Mr. President: I move that the names of the candidates for assistant sergeant-at-arms be placed on the blackboard.

(Signed) Schultz.

The motion prevailed, and the following names were posted:

Vance
Lawrence
Harm
Frost
Keogh
Anderson
Hill
Kreig
Heagy
Regan
Walker

Nominating ballot for assistant sergeant-at-arms:

Vance	5
Lawrence	2
Harm	2
Frost	13
Keogh	5
Anderson	8
Hill	5
Regan	1
Walker	2

Mr. President: I move that we proceed to vote on the five receiving the highest vote.

(Signed) Murphy.

The motion prevailed.

The vote was as follows:

Frost	13	Hill	3
Anderson	13	Glenn	2
Vance	8	Walker	1
Keogh	3		

Mr. President: I move that we proceed to vote on the three candidates who received the highest number of votes.

(Signed) Diers.

The motion prevailed.

The vote was as follows:

Frost	21
Anderson	16
Vance	6

Mr. President: I move that the two highest be balloted on.

(Signed) Klaver.

The motion prevailed.

Electing ballot for assistant sergeant-at-arms:

Frost	24
Anderson	18

The informal ballot was made formal and Frost was declared elected.

ELECTION OF FIRST ASSISTANT CLERK

Mr. President: I move the names of candidates for assistant clerk be placed on the board.

(Signed) Schultz.

The motion prevailed and the following names were posted:

Heiliger
Gartland
Quackenbush
Peterson
Eby
Herbert
Reynolds
Merten
McAllister
Anderson
Douglas
Weber

Nominating ballot for first assistant clerk:

Heiliger	10	Reynolds	1
Gartland	1	Merten	3
Peterson	2	Anderson	8
Eby	14	Douglas	1
Herbert	1	Weber	1

Mr. President: I move we take the three highest candidates for first assistant clerk on the next ballot.

(Signed) Miller.

The motion prevailed.

The vote was as follows:

Heiliger	14
Eby	19
Anderson	10

Mr. President: I move we consider the two highest candidates and proceed to vote.

(Signed) Diers.

The motion prevailed.

Electing ballot for first assistant clerk:

Heiliger	16
Eby	27

The Chair declared Mr. Eby the duly elected first assistant clerk.

Mr. Herrick and Mr. Reavis were relieved and Mr. Mekota and E. A. Adams were appointed to serve as tellers.

ELECTION OF POSTMASTER

Mr. President: I move that we proceed to vote for postmaster.

(Signed) Diers.

The motion prevailed.

Nominating ballot:

Agnes Peterson	13	Mrs. Marion Cushing	22
Mrs. Trenmore Cone	1	May T. Douglas	2
J. Tannehill	4	Moorhead	1

Mr. President: I move that the informal ballot be made formal and Mrs. Marion Cushing be declared elected.

(Signed) Diers.

The motion prevailed.

Mrs. Cushing was declared the duly elected postmaster.

ELECTION OF CHAPLAIN

Nominating ballot for Chaplain:

Blanchard	2	Knapp	4
May	4	Thomas	3
Warren	4	Zimmerman	5
Fowler	2	McGaffin	5
Chambers	12	Sandahl	1

Mr. President: I move we vote on the two highest candidates for Chaplain, namely, Chambers and Zimmerman, as McGaffin withdraws.

(Signed) Miller.

The motion prevailed.

Electing ballot for Chaplain:

Chambers	35
Zimmerman	7

Mr. President: I move Reverend Chambers be declared elected as Chaplain.

(Signed) Gantz.

The motion prevailed and Reverend Leonard L. Chambers was declared the duly elected Chaplain.

COMMITTEE TO NOTIFY GOVERNOR

Mr. President: I move that a committee of five be appointed to wait upon the Governor and notify him that the Legislature is organized and ready to transact business.

(Signed) Neubauer.

The motion prevailed.

The Chair appointed Neubauer, Brady, Norman, Reed and Gross to serve on said committee.

MOTION—Committee on Committees

Mr. President: I move that we elect at large, a member to serve on the Committee on Committees and that we authorize the members residing within each Congressional District to nominate two members who shall be elected by the Legislature and who shall serve on said Committee on Committees.

(Signed) E. A. Adams.

Mr. President: I move that the question be divided and we proceed to vote upon the Chairman of Committee on Committees.

(Signed) Diers.

The motion prevailed.

REPORT OF COMMITTEE TO NOTIFY GOVERNOR

Mr. President: Your committee respectfully reports that it has waited upon the Governor and notified him that the Legislature is now duly organized and is ready to transact business.

(Signed) Neubauer, Chairman.
Brady
Reed
Norman
Gross

On motion by Mr. Neubauer the report was adopted.

Mr. Adams' motion that the members residing within each congressional district be authorized to nominate two members, who shall be elected by the Legislature and who shall serve on said Committee on Committees was adopted.

ELECTION OF MEMBER-AT-LARGE

Nominating ballot for member at large on Committee on Committees:

Murphy	20
Callan	13
Howard	4
Miller	4
Ashmore	1
Schultz	1

Mr. President: I move we vote on the two high candidates.

(Signed) Tvrdik.

The motion prevailed.

The vote was as follows:

Murphy	28
Callan	15

There being no objection the informal ballot was made formal and Mr. Murphy was declared elected.

At 4:55 p. m. the Chair declared the Legislature at ease for five minutes.

At 5:13 p. m. the President called the Legislature to order.

MOTION—To Authorize Nominations

Mr. President: I move that we authorize the members residing within each congressional district to nominate two members who shall be elected by the Legislature and who shall serve on said Committee on Committees.

(Signed) Diers.

The motion prevailed.

Nominations for Members from Congressional Districts:

First—

James Reed

Fred L. Carsten

Second—

Ernest A. Adams
Charles F. Tvrdik

Third—

Frank J. Brady
Martin Mischke

Fourth—

E. M. Neubauer
Hugh B. Ashmore

Fifth—

Harry E. Gantz
R. M. Howard

Mr. President: I move that the Committee on Committees chosen by the different congressional districts be declared duly elected thereto.

(Signed) Dunn.

The motion prevailed.

MOTION—For Consideration of Proposed Changes in Rules of Legislature

Mr. President: I move the proposed changes be submitted to the Committee on Committees for deliberation and action as they see fit, together with their recommendation back to the Legislature.

(Signed) Dunn.

The motion prevailed.

MOTION—To Amend Rules

Mr. President: I move that we amend the rules of the 1937 session; that we strike the remainder of the sentence after the word chosen in Rule VII, paragraph 2, and insert in lieu thereof the words "by the committee on committees."

(Signed) Von Seggern.

The motion prevailed.

Adjournment

At 5:37 p. m. on motion of Mr. Dunn, the Legislature adjourned until Wednesday at 10:00 a. m.

Hugo F. Srb,
Clerk of the Legislature.

SECOND DAY

Legislative Chamber,
Lincoln, Nebraska, January 4, 1939.

The Legislature met pursuant to adjournment at 10:00 a. m. President Parsons presiding.

Reverend Leonard L. Chambers, chaplain, led the Legislature in prayer.

The roll was called and all members were present.

COMMUNICATIONS

A letter was read from J. N. Norton, a member of the 1937 session, and a letter from Frank Bane, Executive Director of The Council of State Governments.

REPORT OF COMMITTEE ON COMMITTEES

Mr. President: Your Committee on Committees recommends the selection of the following committee of five to be known as the Committee on Legislative Administration:

Fred L. Carsten, Chairman
Sam Klaver
Carl H. Peterson
Hugh B. Ashmore
George B. Gross

I move the confirmation of these members to that committee.

(Signed) L. B. Murphy, Chairman.

The motion prevailed.

MOTION—Election Returns

Mr. President: I move that a committee of five be appointed to invite the Secretary of State to appear and bring with him the returns of the regular election of 1938.
(Signed) Miller.

The motion prevailed and the President appointed the following members to serve on said committee:

Miller, Chairman
Carsten
Carlson
Johnson
Callan

The committee retired and subsequently returned with the Secretary of State.

REPORT OF COMMITTEE ON ELECTION RETURNS

Mr. President: The committee appointed to invite the Secretary of State to appear and bring with him the returns of the election of 1938 is ready to report and the record of the Secretary of State's office is here.
(Signed) Miller.

Mr. Swanson reported as follows:

CERTIFICATE

I, Harry R. Swanson, Secretary of State of the State of Nebraska, do hereby certify that the attached list is a true and correct list of candidates for public office from election districts consisting of more than one county, who received the highest number of votes for each particular office as shown thereon at the General Election in the State of Nebraska held on November 8, 1938.

I further certify that at said Election, Article XII, Section 7, (Bank Liability Amendment) was repealed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska. Done at Lincoln this third day of January in the year of our Lord, one thousand nine hundred and thirty-nine.

(Signed) Harry R. Swanson,
(Seal) Secretary of State.

R. L. Cochran	Governor
William Edward Johnson	Lieutenant Governor
Harry R. Swanson	Secretary of State
Ray C. Johnson	Auditor of Public Accounts
T. W. Bass	State Treasurer
Walter R. Johnson	Attorney General
Duane T. Swanson	Railway Commissioner
Robert G. Simmons	Chief Justice of Supreme Court
Charles W. Taylor	State Superintendent
George H. Heinke	Congressman for First District
Charles F. McLaughlin	Congressman for Second District
Karl Stefan	Congressman for Third District
Carl T. Curtis	Congressman for Fourth District
Harry B. Coffee	Congressman for Fifth District
Stanley D. Long	Regent of the State University, Fifth District
Frank M. Johnson	Regent of the State University, Sixth District

MEMBERS OF THE LEGISLATURE

Dist.	Name	County
1	Joseph C. Reavis	Johnson, Pawnee, Richardson
2	Frank Sorrell	Otoe, Nemaha
3	Fred L. Carsten	Sarpy, Cass
11	Richard N. Johnson	Dodge, Washington
12	E. M. Von Seggern	Cuming, Burt
13	J. B. Rossiter	Dakota, Thurston, Dixon
14	Martin J. Mischke	Cedar, Knox
15	Carl H. Peterson	Pierce, Madison
16	Emil E. Brodecky	Stanton, Wayne, Colfax
17	M. E. Westley	Butler, Saunders
22	J. Lyndon Thornton	Thayer, Jefferson
23	John E. Mekota	Fillmore, Saline
24	W. H. Diers	York, Seward
25	Jay Hastings	Hamilton, Polk, Clay
26	Tom Lambert	Nance, Platte
27	Edwin Schultz	Antelope, Boone
28	Frank J. Brady	Holt, Boyd, Keya Paha, Rock
29	John F. Doyle	Wheeler, Greeley, Valley, Howard
30	A. M. Johnston	Hall, Merrick
31	Leland R. Hall	Kearney, Adams
32	Daniel Garber	Franklin, Webster, Nuckolls
33	E. M. Neubauer	Harlan, Furnas, Red Willow

Dist.	Name	County
34	Fred A. Mueller	Buffalo, Sherman
35	A. C. Van Diest	Custer, Loup, Garfield
36	Swan Carlson	Dawson, Gosper, Phelps
37	Hugh B. Ashmore	Perkins, Chase, Hayes, Dundy, Hitchcock
38	Charles R. Herrick	Lincoln, Frontier
39	R. M. Howard	Keith, Deuel, Garden, Arthur, McPherson, Grant, Hooker, Thomas, Logan, Blaine
40	George B. Gross	Cherry, Sheridan, Brown
41	Harry E. Gantz	Dawes, Box Butte, Sioux
43	A. L. Miller	Banner, Kimball, Cheyenne, Morrill

To License and to Regulate the Operation of Slot Machines

Yes	No
115,189	333,120

Repeal of Section 7, Article XII

For	Against
190,328	178,998

(Short Ballot) Amendment A

For	Against
89,357	233,319

(Short Ballot) Amendment B

For	Against
145,345	168,035

(Short Ballot) Amendment C

For	Against
111,284	189,056

(Short Ballot) Amendment D

For	Against
124,829	170,883

MOTION—To Dispense With Reading of Tabulated Returns

Mr. President: I move that the reading of the tabulated returns be dispensed with and that the abstract prepared by the Secretary of State be accepted as the accredited returns of the election held November 8, 1938, in the State of Nebraska. (Signed) Hastings.

LEGISLATIVE RESOLUTION NO. 1

BE IT RESOLVED that it is the sense of this Legislature now in session that all Law Enforcement Agencies of the State of Nebraska shall immediately suspend all forcible compliance with the Automobile Inspection Law until this Legislature has opportunity to signify the changes or amendments which will be made in said law this session. Mr. President: I move the adoption of this Resolution. (Signed) Garber.

SUBSTITUTE MOTION—To Suspend Rules

Mr. President: I move that the rules be suspended and that the resolution be considered at this time. (Signed) Diers.

The substitute motion prevailed with 41 ayes, 1 nay, 1 not voting.

Mr. Garber renewed his motion to adopt the resolution.

MOTION—To Table Resolution

Mr. President: I move that the principal motion of Mr. Garber be laid on the table for one day. (Signed) Klaver.

The motion prevailed with 27 ayes, 15 nays, 1 not voting.

MOTION—To Arrange Legislative Chamber

Mr. President: I move that the Committee on Legislative Administration be authorized to submit a plan to arrange the legislative chamber to suit the convenience of the members. (Signed) Howard.

The motion prevailed.

MOTION—Arrangement for Inaugural Ceremonies

Mr. President: I move that we arrange to hold inaugural ceremonies at 1:30 p. m. Thursday, January 5th. (Signed) Howard.

The motion prevailed.

COMMITTEE TO NOTIFY GOVERNOR

Mr. President: I move that the President appoint a committee of five to notify the Governor that the inaugural ceremony has been arranged for Thursday, January 5, 1939, at 1:30 p. m. in Legislative hall and that the committee assist in making final arrangements for inaugural ceremonies. (Signed) Schultz.

The motion prevailed and the President appointed the following committee:

Schultz, Chairman
Reavis
Johnston
Van Diest
Klaver

Statutes and Journals for Members

Mr. President: I move that the Secretary of State be directed to furnish to each member of the Legislature, the Clerk and the Press, in all forty-five copies of the Compiled Statutes of Nebraska 1929; C. S. Supp. 1937; and the Session Laws of 1937 and the Legislative Journals of the fifty-second session of the Nebraska Legislature. (Signed) Brodecky.

The motion prevailed.

Courtesies to the Press

Mr. President: I move that the several representatives of the Press who are regularly assigned to report the proceedings of this Legislature be furnished with the same books, copies of bills and other supplies that are furnished members. (Signed) Peterson.

The motion prevailed.

REPORT OF COMMITTEE ON COMMITTEES

Mr. President: Your committee on committees have studied carefully the proposed changes of the standing committees and the time of meeting, and recommend for adoption the following changes:

1. That we combine the committee on banking and insurance, the committee on commerce and communications under the title of Banking, Commerce and Insurance.
2. That the committee on irrigation, drainage and water power be combined with highways and bridges under the title of Public Works.
3. That the committee on banking, commerce and insurance be a 9 member committee, and that the committee on claims and deficiencies be a 5 member committee.

(Signed) Murphy, Chairman.

Suggested Schedule for Standing Committees and Time of Meeting

Agriculture (9)		Tues.		Thur.	
Appropriations (11)	Mon.	Tues.	Wed.	Thur.	Fri.
Banking, Commerce and Insurance (9)		Tues.		Thur.	
Claims & Deficiencies (5)	Mon.				
Education (9)	Mon.				
Enrollment & Review (5)		Tues.		Thur.	
Government (9)			Wed.		Fri.
Judiciary (9)	Mon.		Wed.		Fri.
Labor & Pub. Welfare (9)	Mon.				
Legislative Admr. (5)	(Subject to call of chairman)				
Public Health & Miscellaneous Subs. (5)			Wed.		Fri.
Public Works (9)			Wed.		Fri.
Revenue (9)		Tues.		Thur.	
Rules (5)	(Subject to call of chairman)				

REPORT OF COMMITTEE TO NOTIFY GOVERNOR OF INAUGURAL CEREMONIES

Mr. President: Your committee appointed to notify the Governor that the inaugural ceremony is to be Thursday, January 5th, has performed its duty and the Governor has accepted.

(Signed) Schultz, Chairman.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 1. By Sorrell.

A bill for an Act to amend Section 66-306, Compiled Statutes of Nebraska, Supplement 1937, relating to motor vehicle fuel and specifications thereof, and to repeal said original section.

LEGISLATIVE BILL NO. 2. By Hastings, Carlson.

A bill for an Act to repeal Sections 75-222 to 75-238, inclusive, C. S. Supp., 1937, relating to intrastate motor carriers.

LEGISLATIVE BILL NO. 3. By Carlson, Herrick, Lambert, Mischke, Westley, Sorrell, Van Diest, Doyle, Howard, Reed, Hastings, Ashmore, Neubauer, Thornton, Reavis, Schultz, Johnston, Callan.

A bill for an Act to amend Sections 60-406, 60-407 and 60-421, C. S. Supp., 1937, relating to motor vehicles; to fix original and renewal biennial operators' license fees for applicants requesting operators' licenses to operate motor vehicles; to repeal said original sections; to repeal Sections 60-435 to 60-444, inclusive, C. S. Supp., 1937, relating to compulsory inspection of motor vehicles; and to declare an emergency.

LEGISLATIVE BILL NO. 4. By Sorrell.

A bill for an Act to amend Section 7-101, Compiled Statutes of Nebraska, 1929, relating to Attorneys at Law; to provide for the making and filing of papers in probate proceedings in the County Court by persons not admitted to the bar; and to repeal said original section.

MOTION—Re Acoustical Condition of Legislative Rooms

Mr. President: I move the Legislative Administration Committee make a study of the rooms to be used by standing committees for hearings with the view of correcting the present acoustical conditions. (Signed) Thomas.

The motion prevailed.

MOTION—Postage for Members

Mr. President: I move that the members be allowed the same postage this year as they had last year. (Signed) Von Seggern.

Substitute Motion

Mr. President: As a substitute, I move that each member be allowed fifty cents per day for stamps. (Signed) Ashmore.

The substitute motion lost and the original motion prevailed.

MOTION—Mailing Legislative Journals

Mr. President: I move that members may mail Legislative Journals not to exceed forty, to his constituents. (Signed) Diers.

The motion prevailed.

Honoring his seventy-fourth birthday anniversary, Mr. Harry T. Dobbins, who was a reporter of the activities of the Nebraska Legislature in 1891 and still holds that position, was introduced to the assembly.

Mr. Murphy announced that the Committee on Committees will meet at 1:30 p. m.

Adjournment

At 12:04 p. m. on motion of Mr. Dunn the Legislature adjourned until 10:00 a. m. Thursday.

Hugo F. Srb,
Clerk of the Legislature,

THIRD DAY

Legislative Chamber,
Lincoln, Nebraska, January 5, 1939.

The Legislature met pursuant to adjournment at 10:00 a. m. President Parsons presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the second day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Thornton, two protesting the enforcement of the automobile testing law, referred to Committee on Public Works.

One addressed to the Legislature, regarding taxes, referred to Committee on Revenue.

REPORT OF COMMITTEE TO NOTIFY GOVERNOR

Mr. Schultz reported that all arrangements had been completed for the inaugural ceremonies.

MOTION—Citing Nebraska Statutes

Mr. President: I move that when referring to and citing any statute enacted prior to the fifty-third session of the Nebraska State

Legislature and not appearing in Compiled Statutes of Nebraska, 1929, such statute shall be cited as:

"Sec.————, Comp. St. Supp., 1937."

(Signed) Thomas.

The motion prevailed.

MOTION—Session Laws and Journals

Mr. President: I move that we reconsider our action relative to the issuance of the Session Laws of 1937 and the Legislative Journals, and that the State Librarian be directed to furnish same. (Signed) Diers.

The motion prevailed.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L. B. No.	Introducer	Committee Reference
1	Sorrell	Agriculture
2	Hastings, et al	Banking, Com. & Ins.
3	Carlson, et al	Revenue
4	Sorrell	Judiciary

MOTION—Statutes for Legislative Council

Mr. President: I move the Legislative Council be furnished a complete set of Nebraska statutes including the 1937 Session Laws and Journals. (Signed) Thomas.

The motion prevailed.

Mr. Murphy announced that immediately following recess there would be a meeting of the Committee on Committees.

MOTION—To Recess

At 10:35 on motion by Mr. Diers the Legislature recessed until 1:00 p. m.

After Recess

The Legislature reconvened at 1:17 p. m. President Parsons presiding.

The roll was called and all members were present.

MOTION—To Appoint Special Committee

Mr. President: I move that a committee of three be appointed to wait upon the Secretary of State for him to certify that Governor R. L. Cochran, Lieutenant Governor, William E. Johnson, Auditor of Public Accounts, Ray C. Johnson, State Treasurer, T. W. Bass, Attorney General, Walter R. Johnson and Railway Commissioner, Duane T. Swanon have furnished bond and have taken oath and both are on file with the Secretary of State; and that the same committee call upon the Auditor of Public Accounts for him to certify that the Secretary of State, Harry R. Swanson, has furnished bond and has taken oath, and that both bond and oath are on file with the Auditor of Public Accounts. (Signed) Klaver.

The motion prevailed and the President appointed the following members to serve on said committee:

Klaver, Chairman
Garber Westley

MOTION—To Appoint Special Committee

Mr. President: I move that a committee of seven be appointed to notify the state officers-elect that the Legislative Assembly is in session and to escort them before the bar of the Legislative Assembly for the purpose of taking the oath and being inducted into office. (Signed) Johnston.

The motion prevailed and the President appointed the following members to serve on said committee:

Johnston, Chairman
Gutoski
Sorrell
Rossiter
Herrick
Ashmore
Von Seggern

MOTION—To Appoint Special Committee

Mr. President: I move that a committee of seven be appointed by the President to escort the Chief Justice and Associate Justices of the Supreme Court before the Legislative Assembly for the purpose of administering the oath of office to the state officers-elect. (Signed) Schultz.

The motion prevailed and the President appointed the following members to serve on said committee:

Schultz, Chairman
Adams, J. Jr.
Dunn
Thomas
Peterson
Gantz
Mekota

The President declared the Legislature at ease, during which time Mr. Howard introduced Mr. L. O. Pheiffer, who addressed the Legislature briefly.

MOTION—To Appoint Special Committee

Mr. President: I move that a committee of five be appointed by the President to escort the Governor to the Legislative Chamber for the inaugural ceremonies. (Signed) Callan.

The motion prevailed and the President appointed the following members to serve on said committee:

Callan, Chairman
Adams, E.
Van Diest
Doyle
Hastings

OFFICERS' OATH OF OFFICE

STATE OF NEBRASKA, ss:

We, and each of us, do solemnly swear that we will support the Constitution of the United States, the Constitution of the State of Nebraska, and faithfully discharge the duties of our respective offices to the best of our ability, so help us God.

Hugo F. Srb	Clerk of the Legislature
Louis R. Eby	First Assistant to the Clerk
George L. Santo	Sergeant-at-arms
Ruth C. Cushing	Postmaster
Leonard L. Chambers	Chaplain
Tracy T. Frost	Assistant Sergeant-at-arms

Subscribed in my presence and sworn to before me this 4th day of January, 1939.

Robert G. Simmons,
Chief Justice of the
Supreme Court of Nebraska

(Seal)

REPORT OF SPECIAL COMMITTEE

Mr. President: Your committee appointed to wait upon the Secretary of State and Auditor of Public Accounts has performed its duty and report that the Governor and all other state officers-elect have furnished bond and taken oath as required by law. (Signed) Klaver, Chairman.

INAUGURAL CEREMONIES

The committees appointed for that purpose escorted to the bar of the assembly the Chief Justice and Associate Justices of the Supreme Court, the Governor and other state officers-elect.

Invocation was pronounced by the Right Reverend George Allen Beecher of Hastings, Nebraska and oaths were administered as follows:

OFFICIAL OATH OF OFFICE

Supreme Judge

State of Nebraska)
) ss.
Lancaster County)

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Nebraska, and will faithfully discharge the duties of Chief Justice of the Supreme Court according to the best of my ability, and that at the election at which

I was chosen to fill said office, I have not improperly influenced in any way the vote of any elector, and have not accepted, nor will I accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company or person, or any promise of office, for any official act or influence.

(Signed) Robert G. Simmons.
Chief Justice of the Supreme
(Seal) Court of Nebraska

Subscribed and sworn to in my presence this 5th day of January, 1939.

(Signed) W. B. Rose
Justice of the Supreme
Court of Nebraska

OFFICIAL OATH OF OFFICE

Railway Commissioner

State of Nebraska)
) ss.
Lancaster County)

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Nebraska, and will faithfully discharge the duties of the State Railway Commissioner according to the best of my ability, and that at the election at which I was chosen to fill said office, I have not improperly influenced in any way the vote of any elector, and have not accepted, nor will I accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company or person, or any promise of office for any official act or influence, and that I am not directly or indirectly interested in any railroad, nor in the bonds, stock, mortgages, securities, contracts, or earnings of any railway company or common carrier, and that I will to the best of my ability, faithfully and justly execute and enforce the duties devolving upon me as such railway commissioner.

(Signed) Duane T. Swanson
(Seal) Railway Commissioner

Subscribed and sworn to in my presence this 5th day of January, 1939.

(Signed) Robert G. Simmons,
Chief Justice of the Supreme
Court of Nebraska

OFFICIAL OATH OF OFFICE

State Officers

State of Nebraska)
) ss.
Lancaster County)

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Nebraska, and will faithfully discharge the duties devolving upon me as a member of the Executive Department of the State of Nebraska according to the best of my ability, and that at the election at which I was chosen to fill said office, I have not improperly influenced in any way the vote of any elector, and have not accepted nor will I accept or receive, directly or indirectly any money or other valuable thing from any corporation, company or person, or any promise of office, for any official act or influence.

(Signed) William Edward Johnson,
Lieutenant Governor

Harry R. Swanson,
Secretary of State

Ray C. Johnson,
Auditor of Public Accounts

T. W. Bass,
State Treasurer

Walter R. Johnson,
Attorney General

Charles W. Taylor,
State Superintendent

(Seal)

Subscribed and sworn to in my presence this 5th day of January, 1939.

(Signed) Robert G. Simmons,
Chief Justice of the Supreme
Court of Nebraska

OFFICIAL OATH

Governor

State of Nebraska)
) ss.
Lancaster County)

I, R. L. Cochran, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of

Nebraska, and will faithfully discharge the duties of the office of Governor in the State of Nebraska according to the best of my ability, and that at the election at which I was chosen to fill said office, I have not improperly influenced in any way the vote of any elector, and have not accepted, nor will I accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company, or person, or any promise of office for any official act or influence.

(Signed) R. L. Cochran
(Seal) Governor

Subscribed in my presence and sworn to before me this 5th day of January, 1939.

(Signed) Robert G. Simmons
Chief Justice of the Supreme
Court of Nebraska

GOVERNOR COCHRAN'S MESSAGE

Delivered to the Fifty-Third Session of the Legislature of Nebraska

January 5, 1939

Mr. Chairman and Members
of the Nebraska Legislature:

In again accepting the office of Governor and in carrying out my constitutional duty in calling attention to the conditions and needs of the state, I do so with a feeling of deep responsibility, a responsibility toward supplying revenue for needed governmental services and at the same time, a responsibility for those defraying the cost of these services.

Under our state constitution, members of the legislature are elected on a non-political ballot. While there is no such provision as to the office of Governor, I assure you I shall be equally non-political, in view of which, we can approach these problems with an open mind without partisan prejudice, with but one desire and that is to do what is best for the people of Nebraska. You and I appreciate the confidence they have placed in us.

In appraising the needs of the state, we must take into account the condition of the people of the state as a whole. We must think in terms of what is best for all of Nebraska. We must think in terms of majority instead of minority interests. We must think of ability to supply these needs. We must think of a thirty-six per cent reduction in valuation of property during the past ten years and a much greater reduction in the average income of our people. We are forced to admit we cannot maintain the standards for any of the functions of government equal to the standards of ten years ago, when the physical value of property and the total income of our people were very much above that of today. I call your attention to the fact that the value of all property for taxation purposes is $2,033,302,482.00 today compared with $3,167,489,300.00 in 1929. This reduction in valuation and reduction in income have made it necessary for us to reduce the costs of the long established governmental services. During the past four years the total property tax paid for governmental services in all divisions of government, including the state, county, municipality and school district, was ten per cent less as an average than during the period of four years immediately preceding. I cite this as evidence of the retrenchment that has been accomplished in the long established governmental services.

During recent years, however, we have added new governmental services. In the main these services have consisted of those activities related to relief in some form, the social security law embracing old age assistance, aid to dependent and crippled children, and to the blind. This trend toward increasing the services rendered by government extends to our local subdivisions and includes such activities as direct relief on the part of the counties and relief on the part of municipalities as well. Call it by whatever name you may, all of these activities performed by all units of government constitute in the end relief to those in distress.

A recent report of your Legislative Council discloses that almost three million dollars per month is spent by the state, local and federal governments for relief in various forms in Nebraska. This means that while we have been reducing our expenditures, for the long established governmental services, both local and state, the state has been adding new governmental services with a net result that despite these reductions, state appropriations and expenditures have increased and, of course, state taxes as a whole have increased. Note well that this increase in expenditures has come about as our capacity to pay has decreased. Does not this situation dictate to us our duty to carry out a program of at least halting any further increases in public expenditures and even accomplishing reductions wherever possible to do so? I feel sure that such a program will have the whole-hearted support of the great majority of Nebraska citizens.

Social Security

Three years ago, Nebraska adopted a social security program providing for old age assistance, aid to crippled and dependent children, and to the blind. The first appropriation was for $3,036,054.13 per year. The second appropriation was for $3,750,000.00 per year. The total number on June 1st, 1936, receiving old age assistance was 20,600. The total number on June 1st, 1937, was 26,839. The total number as of June 1st, 1938, was 26,357. The total number today is 26,808.

At the time this honorable body was in session two years ago, when appropriations were made for this governmental service, the number on old age assistance was constantly increasing and it was recognized by the legislature that a closer supervision was needed to the end that the ineligibles be eliminated and that those most deserving of assistance would receive more equitable benefits. As a result, the legislature directed the transfer of the administration of old age assistance and related activities to the State Board of Control with provision for the appointment of a director of Assistance by the Governor to be confirmed by the legislature. Within a very short time after the new administration of social security became effective, reductions were effected in the old age assistance rolls. Had not this closer supervision been effected, it is my opinion that more than 30,000 would be receiving old age assistance at the present time instead of 26,808. I say this because during that period, 4,808 new cases have been added to the rolls and 4,839 have been subtracted from the rolls. To a small extent the elimination of those on the rolls was due to removal from the state and some reductions were effected through death. However, large reductions were accomplished through closer scrutiny resulting in discovery and elimination of ineligible cases.

While there have been recent increases in the rolls at the rate of about 150 per month, it is felt from the experience thus far had that the upward trend can be broken and perhaps actual reductions accomplished by an extension of trained personnel selected on the basis of a merit system by which only persons of demonstrated ability and knowledge of the program may be employed on this program.

Legislation should be passed which will provide the necessary authority for the State Assistance Director to install a merit system in the Assistance Program covering both state and county personnel, retaining, however, the maximum of local control possible. I wish to advise you that such legislation will be necessary in order to insure a continuation of federal participation.

As you know, the allocation of funds for social security is now made among the various counties of the state on the basis of population. During the past two years, we have had difficulty in securing approval of this plan by the Federal Social Security Board. We have been unable to secure approval of our plan, but we have been able to receive federal funds on the promise that I recommend to this legislature that our law be corrected so as to provide that all allocations to counties be made on the basis of need instead of on the basis of population. In passing such legislation, it is recommended that a provision be inserted stating that the Director of Assistance may use the assistance needs as shown by the records on June 1st, 1938, to determine the allotments to be made to the various counties.

House Roll No. 17 of the Special Session of 1935, which provides for old age assistance payments of $30 per month less income, should be amended to conform with the federal law and the determination of payments on a need basis.

We see a growing tendency by which persons plan ahead for the time when they will be 65 years of age, when they feel there will be a grant for them. Some dispose of their property. In some cases, relatives who have supported indigent old people up to the time they are sixty-five years of age, refuse to do so any longer. In short, we see a tendency for the people to plan for an impoverished old age so that they can receive public assistance. We see a constantly reduced feeling of responsibility upon the part of relatives. We see an absence of thrift and an increased tendency to disregard moral and legal responsibilities toward relatives in distress.

The administration of assistance can be helped immeasurably by a proper interest on the part of our citizens generally, as well as by those in public office, by calling attention to any cases where family responsibility is being neglected or the law evaded. The carrying out of such a program will redound to greater benefits for those in actual need without other means of support, family or otherwise. I recommend the passage, by your honorable body, of legislation which will make the laws with reference to family responsibility more effective. Many of the troubles that I have described arise from a quite general misconception of our present program. What we have today is an assistance or relief program based on need, not a pension program based on inherent right.

It is felt that if first liens could be placed against property belonging to old age assistance recipients, considerable refunds would be collected and it might possibly keep some ineligible persons from applying for assistance.

Attention is called to the legislative error made at the close of the 1937 session by which one-tenth of one cent of gasoline tax, intended for social security, was in fact not appropriated for any purpose. It cannot be expended for any purpose until it has been appropriated by the legislature. It is recommended that an emergency appropriation be made by your honorable body at as early a date as possible correcting the legislative error made in 1937 and making available the proceeds from the one tenth of one cent of gasoline tax to which I have just referred. I emphasize this matter for the reason that this appropriation will be necessary in order to make payments to the counties on January 15th. This does not contemplate any increase over the seven and one-half million dollars appropriated by the legislature of 1937 for social security, but would make available the seven and one-half million dollars as the legislature and the governor intended. Reallocation of accumulated totals in counties where the needs are less than the present allotments also will be necessary. This will likewise require emergency legislation.

It is recommended that revenue be appropriated in order to maintain at least the present standards of old age assistance, aid to dependent and crippled children, and to the blind. As a suggestion and recommendation the following estimates may serve as a guide as to amounts and sources of revenue:

Beer and liquor taxes	$1,500,000.00
Per Head Tax	1,000,000.00
Gas Tax from ¾ of 1c	1,650,000.00
Estate Tax	50,000.00
Total	$4,200,000.00

In addition to the above, it is estimated that $125,000.00 per year additional may be obtained in federal funds for aid to dependent children and the blind by matching same with county funds raised by levies for mother's pensions and for the blind.

The present state appropriation per year for these activities is $3,750,000.00. It is recognized that the above sources and estimated amounts yield an amount somewhat in excess of the present three and three-quarter million of dollars expended annually. However, it is possible, if not probable, that the per head tax collections may be less than the estimated amount shown; but it is believed that legislation can be passed to make the per head tax collections more effective.

Taxation

The assessed valuation of all physical property in the state was $3,167,489,300.00 in 1929. The assessed valuation in 1938 was $2,033, 302,482.00. This means that in order to raise the same amount of state appropriations from property taxes today, it will require 1.55 mills as compared with one mill in 1929. In other words, it requires a 55 per cent greater levy to raise the same amount of money than it did in 1929. This means that we cannot expect to maintain the same standards of governmental service, both local and state, as were maintained a decade ago when we were possessed of greater wealth and a correspondingly greater income.

There are two general problems to taxation: First, a wise determination of public funds to be expended; and second, provision for equalization to the end that each citizen pay his just proportion.

In 1921 the intangible tax law was passed, a measure designed to tax property in accordance with its valuation at fixed rates, very considerably below the average mill levy for the state. It is a well known fact that this law has not been effective and that millions and millions of dollars of intangible property have escaped taxation with a result that real estate and other property have had to carry a heavier burden to compensate for intangible property which has escaped taxation. The law has generally been a failure, despite the fact that the mill levy was placed low as an inducement to holders of intangible property to declare same for taxation purposes. To the end that a greater equality in taxation may be accomplished with a reduction in taxation of other property, it is recommended that legislation be passed along the following lines:

First, require all stock brokerage houses in the state to furnish a list of all common stock purchases made by their clients during the year, these to be filed in the assessor's office. This would be easier to accomplish than to demand that all national corporations furnish a list of their stockholders within the state.

Second, require state ownership certificates on all corporation bonds held by residents within the state. The national government now requires ownership certificates for income tax purposes and a similar form can be designed.

Our state inheritance tax is lower than almost any other state in the union. It is recommended that the rate of inheritance tax be raised.

For many years it has been recognized that an inequality exists in the distribution of the tax burden as between personal and real property. A report of the State Tax Commissioner for the year 1937 shows for example that there are more electric washing machines assessed in a certain county than in another county with ten times its population. This example applies likewise to other items of personal porperty in the same proportion.

It is recommended that a study be made to determine and enact a method to place personal property on the tax rolls on a basis of equality with real property, to the end that property of all kinds may be taxed on a more equitable basis. The facilities of the Tax Commissioner's office or any other state agency will be made available for this study. Suggestions made with reference to taxation of intangibles and personal property are in no way to be considered as an attempt to raise more public money as a whole, but rather to obtain greater equalization among the taxpaying public.

There are two different types of legislative action which may affect the taxpayer adversely. One is increased appropriations for state purposes. The other is legislative action granting to officials of local subdivisions of the state the power to increase tax levies. It is necessary to avoid one as much as the other. At the present time it is quite natural for some people to suggest new forms of taxes as a means of relieving the taxpayer. There is, however, but one way to relieve the taxpayer and that is to spend less of public funds both as to the state and its subdivisions.

Any discussion of public finances in Nebraska would not be complete without calling attention to the two fundamental reasons for Nebraska's splendid position from the standpoint of fiscal policy.

First, constant adherence by the state to the pay-as-we-go policy with a consequent freedom from bonded indebtedness.

Second, maintenance of local self government. The great degree of local responsibility that exists has made it possible for the state to avoid new forms of taxes.

The first of these fundamental reasons springs from the state constitution. The second can be maintained by diligent watchfulness on the part of the people and their representatives.

As required by the state constitution, I shall later submit my budget of estimated expenditures necessary for the various agencies of state government.

My ideas are in harmony with the report of the Legislative Council which recommends that sufficient reductions be made in appropriations for the next biennium to absorb any delinquencies in the general fund during this biennium to the end that the state levy for the next two years may not exceed the levy for this two-year period. Legislation may be necessary to accomplish this.

State Fair

Two years ago, I recommended that the State Board of Agriculture be authorized to issue debentures for the purpose of refinancing the bonds now outstanding upon the grandstand on the state fair grounds and that the State Board of Educational Lands and Funds be authorized to invest school funds in these bonds. The legislation did not pass. The average rate of interest being received on school fund investments at the present time is less than three per cent, but if this legislation had passed, and an investment in these bonds had been made at the rate of three per cent, $14,720.85 would have been saved to apply on indebtedness against the grandstand during a two-year period, without impairment of our school fund.

The state fair is recognized as one of Nebraska's state institutions. Appropriations are made every two years in order to defray the cost of the fair and for the maintenance of buildings on the fair grounds; hence the taxpayers of Nebraska have a continuing financial interest in the property; they have an interest in any savings that might be effected.

It is again recommended that the legislation outlined above be passed at this session.

Elimination and Curtailment of Boards and Bureaus

New responsibilities of government, both state and national, have been responsible for the creation of new bureaus, created mainly for furnishing relief in some form. Demands for more regulation have likewise been responsible for some additions in governmental agencies. I invite your study and I pledge my cooperation to the end that we refrain from adopting any new agencies and that we abolish or curtail the activities of any bureau of government, if possible. Certainly we should halt any tendency in the direction of further increases either in the number of bureaus or in the activities of existing bureaus.

Constitutional Amendment

Nebraska has five institutions of higher learning, the State University and four State Normal Schools, the State University being administered under the Board of Regents, the Normal Schools under the Board of Education for State Normal Schools. In my judgment, there is no more excuse for two state boards of education than there is for two boards of education in any local school district. It is my opinion that the cause of education can be advanced and a saving in taxpayers' money made by having one board of education in charge of all state institutions of higher learning. It is respectfully recommended that this session of the legislature submit a constitutional amendment that the people may have an opportunity to effect this saving.

Insurance

The business of insurance is affected by a very high degree of public interest and the state has an active duty in connection with that business for the protection of the widow and the orphan where life insurance is involved and the lawful beneficiary of any kind of insurance policy.

In the discharge of this duty the state should set up and enforce two requirements: First, every new company entering the Nebraska field should have a financial structure so adequate as to meet every foreseeable condition; second, the state through proper officers should exercise a rigid supervision over all companies and have power to control, liquidate, or rehabilitate before actual insolvency develops, and thus timely safeguard the interests of the policyholders.

Experience abundantly has demonstrated that our present requirements as to financial resources of those entering the field, whether on a mutual or stock plan, are too low. These should be increased. At least one judicial decision has interpreted our present statutes as requiring proof of insolvency before the state may take charge of a mismanaged company. This is providing for a lock after the horse is gone. I recommend such statutory changes as will enable the state to act before ruin has become an accomplished fact.

Banking

By their votes the people of Nebraska have eliminated the requirement of double liability on bank stock. This is a mandate. I recommend revision of our statutes in conformity therewith, with due care that rights accrued under the old system be not invaded.

Highways

The condition of the state and federal highway system when work now under contract is completed will be as follows:

Paving	2925 miles
Gravel	5450 miles
Earth	358 miles
Total	8733 miles

There appears to be a strong sentiment for continuing a road building program. This is reflected in many ways. Successive legislatures have passed bills providing for extension of the state highway system. These bills have had almost unanimous support. In fact, I felt it necessary to veto a bill two years ago in order to halt the extension of the state highway system, which had already been extended beyond our ability to finance with respect to construction and maintenance. It will take many years at the present rate of building to construct the system already designated. This sentiment is reflected further by numerous delegations many of them headed by members of the legislature who have called upon the State Engineer and myself to urge construction in their respective districts. These delegations reflect the attitude of the farming and business interests of the state. Oftentimes argument made for a project is based on the fact that it will provide labor for rural areas.

The paving of the original highway system has been greatly retarded because of continual additions made by the legislature to the state highway system requiring improvement and maintenance on a constantly increasing mileage. Even moderate progress such as has been made can be maintained only in the event that the present rate of gasoline tax is continued and that an unreasonable amount not be taken therefrom for purposes other than highway use. I do not insist that the present rate of progress be continued in highway construction, but I submit that the public does insist on a rate of progress in the future at least equal to that of the past.

Available federal funds will be matched during the present biennium with the exception of approximately $1,175,000.00. Had the program suggested two years ago been adopted by the legislature, this loss would have been avoided. This program contemplated using a small percentage of county gasoline tax funds to match federal feeder road allotments to Nebraska. In other words, failure to adopt this program in the 1937 session cost more than one million dollars to the state in federal funds during this biennium which we were unable to match otherwise.

I again recommend that provision by law be made for the counties to match federal feeder road funds, with revenue which goes to them, under existing laws, from the gasoline tax, to the end that we do not suffer another similar loss during the next biennium. This is entirely logical for the reason that the federal feeder road funds are expended generally on roads now under county supervision and county maintenance. By following this plan of having the counties match federal feeder funds from their share of the gasoline tax, the combined capacity to match federal highway funds will not be reduced even though we use one-fourth of a cent more of gasoline tax for social security.

A study of highway use is being made at the present time by the State Department of Roads and Irrigation with the idea of determining the equitable allocation of costs of highway improvement and maintenance among various classes of highway users and methods of collection. The idea behind the study is to determine who uses the roads and to determine further an equitable distribution of the cost of the various uses. This data will be made available to the legislature and it is hoped that the legislature will make a study of it.

Highway Safety

The 1937 session of the legislature passed a law providing for a safety patrol, motor vehicle driver's license, and for mechanical inspection of motor vehicles. For the first time the upward trend of highway fatalities has been broken. The total loss of life in highway fatalities in 1937 was 322. The total loss of life for 1938 was 223. This represents a saving of 99 lives and a reduction of 31% in fatalities under 1937. In my opinion this was accomplished because of the activities of the State Safety Patrol in cooperation with local law enforcing agencies, supported by the press, radio, civic groups and the public generally. While complete statistics for the year are not now available, it is believed a proportionate reduction has been made in non-fatal accidents on the highways with attendant reductions in personal injuries and property loss.

The part of this law providing for mechanical inspection of motor vehicles has not been satisfactory. It is recommended that this provision of the act be repealed and that the function of mechanical inspection of motor vehicles be reserved to the local subdivisions of the state and left optional with them.

Labor

The unemployment compensation act passed by the 1937 session of the legislature has been in effect for a year and a half. Experience with this law, together with changes made in the federal law, necessitate certain amendments. The amendments which appear necessary have to do with the railroad unemployment insurance law, provision for merit rating of employers beginning in 1940 and provision for disposition of the $1,300,000.00 fund collected from Nebraska employers prior to the enactment of our law.

Planning Board Report

As provided in Chapter 207, Session Laws of Nebraska, 1937, the Planning Board has submitted a report to the Governor and in accordance with said law, I am transmitting the Board's report to your honorable body. I am impressed with the great amount of work that has been performed by the members of this Board without compensation. The entire membership of the Board has been motivated by a high sense of devotion to public service.

Conclusion

I submit these recommendations and comments for your earnest consideration, recognizing our mutual desire to work together for the best interests of our state and the perpetuation of democratic government. I shall be glad to consult with you in solving the problems which confront the people of our state. I assure you that you will have my cooperation at all times.

Respectfully submitted,

(Signed) R. L. Cochran,
Governor

Lieutenant Governor Nate Parsons addressed the Legislature briefly before presenting the gavel to his successor William E. Johnson, who in turn addressed the assembly briefly.

Adjournment

At 3:00 p. m. on motion by Mr. Schultz the Legislature adjourned until 10:00 a. m. Friday.

Hugo F. Srb
Clerk of the Legislature.

FOURTH DAY

Legislative Chamber,
Lincoln, Nebraska, January 6, 1939.

The Legislature met pursuant to adjournment at 10:00 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the third day was approved.

Communications

A letter was read from Allen A. Strong, former member of the Legislature, extending greetings and best wishes to the President and Members of the Legislature and to all their co-workers. Also a letter from Mrs. Ida Rump in regard to pensions for cripples.

COMMITTEE HEARINGS

Revenue

L. B. No. 3, Thursday, January 12, 1939, 2:00 p. m.

REPORT OF STANDING COMMITTEE

Committee on Committees

Mr. President: Your Committee on Committees respectfully submit the following committee assignments:

Agriculture: Neubauer, Chairman; Carsten, Howard, Johnston, Mekota, Mischke, Sorrell, Van Diest, Westley.

Meets Tuesday and Thursday.

Appropriations: Brady, Chairman; Brodecky, Callan, Carlson, Garber, Mueller, Murphy, Norman, Peterson, Reed, Tvrdik.

Meets Monday, Tuesday, Wednesday, Thursday, Friday.

Banking, Commerce and Insurance: Hall, Chairman; E. Adams, Doyle, Dunn, Gutoski, Herrick, Lambert, Rossiter, Thornton.

Meets Tuesday, Thursday.

Claims and Deficiencies: E. Adams, Chairman; Ashmore, Hall, Howard, Rossiter.

Meets Monday.

Education: Schultz, Chairman; Carsten, Doyle, Hastings, Neubauer, Herrick, Miller, Mischke, Westley.

Meets Monday.

Enrollment and Review: Craven, Chairman; Diers, Gantz, Klaver, Schultz.

Meets Tuesday and Thursday.

Government: Von Seggern, Chairman; J. Adams, Ashmore, Carsten, Doyle, Gross, Hastings, Schultz, Sorrell.

Meets Wednesday and Friday.

Judiciary: Thomas, Chairman; Craven, Diers, Gantz, Gutoski, Johnson, Klaver, Mekota, Reavis.

Meets Monday, Wednesday and Friday.

Labor and Public Welfare: Dunn, Chairman; J. Adams, Gross, Johnston, Lambert, Sorrell, Thornton, Van Diest, Von Seggern.

Meets Monday.

Legislative Administration: Carsten, Chairman; Ashmore, Peterson, Klaver, Gross.

Meets on call.

Public Health and Miscellaneous Subjects: Miller, Chairman; Dunn, Herrick, Rossiter, Thornton.

Meets Wednesday, Friday.

Public Works: Howard, Chairman; E. Adams, Hall, Johnston, Lambert, Mischke, Neubauer, Van Diest, Westley.

Meets Wednesday, Friday.

Revenue: Ashmore, Chairman; J. Adams, Gross, Hastings, Johnson, Miller, Reavis, Thomas, Von Seggern.

Meets Tuesday, Thursday.

Rules: Peterson, Chairman; Von Seggern, Diers, Murphy, Gantz.

Meets on call.

(Signed) Murphy, Chairman.

The report was adopted.

MOTION—Statutes, Supplies to Lieutenant Governor

Mr. President: I move to have the Lieutenant Governor furnished with the same books and supplies as are furnished to the members. (Signed) Diers.

The motion prevailed.

RESOLUTIONS

Mr. President: I move that Mr. Garber's resolution, introduced on the first day, be referred to the proper committee for consideration. (Signed) Dunn.

The motion prevailed and the resolution was referred to the Committee on Banking, Commerce and Insurance.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 5. By Schultz, Johnston, Hastings, Sorrell, Callan, Neubauer, Mischke, Thomas, Lambert, Reed, Hall.

A bill for an Act to amend Sec. 77-1601, Comp. St. Supp., 1937, relating to revenue; to provide that all real property subject to taxation shall be assessed on the first days of April, 1939 and 1940, and every second year thereafter; to repeal said original section; and to declare an emergency.

MOTION—Arrangement Legislative Chamber

Mr. President: I move that the matter relative to the arrangement of the Legislative Chamber be referred to the committee on Legislative Administration for consideration and the recommendations of the committee be reported to the Legislature on Monday, January 9, 1939. (Signed) E. Adams.

The motion prevailed.

REPORT OF LEGISLATIVE COUNCIL

Mr. President: I move the following report be received and placed on file as a part of the records of the Legislature:

January 5th, 1939.

To the Members of the Legislature
of the State of Nebraska:

The members of the Legislature are cordially invited to avail themselves of the research facilities of the Legislative Council. The Council was created to serve as an aid to the Legislature in the gathering of information pertaining to matters of interest to the Legislature and the State as a whole. In the furtherance of this purpose, the research department of the Council was established, and began operations January 1, 1938.

It has been the policy of the Council, during the past year, to have its research department prepare formal reports on broad subjects, such as revenues and appropriations, taxation and costs of government, public assistance, and state civil service. It is hoped that these reports will be of value to the Legislature. It is felt, however, that a more direct service can be rendered during the legislative session by having the research department prepare short factual statements upon subjects of interest to the individual members.

The members of the Council welcome the opportunity to place this service at the disposal of their colleagues in the Legislature, and hope that it will be freely used. Data can be assembled on short notice from the existing records of the State, and from the records of other states and the National Government so far as they are available, but it is respectfully requested that allowance be made for the fact that the research staff is small, and that facilities are not available for making "audits" or investigations which require going behind the afore-mentioned records.

Requests for information may be submitted to the Council's office, room 1104 of the State Capitol.

The statute creating the Nebraska Legislative Council, (LB-395, 1937 Laws, 421), imposed upon the Council the following duties: (1) To collect information concerning the government and general welfare of the state. (2) To examine the effects of previously enacted statutes and recommend amendments thereto. (3) To deal with important issues of public policy and questions of state-wide interest. (4) To prepare a legislative program in the form of bills, or otherwise, as in its opinion the welfare of the state may require. (5) To investigate and study the possibilities of consolidations in state government for elimination of all unnecessary activities and of all duplication in office personnel and equipment, and of the coordination of departmental activities, or of methods of increasing efficiency and effecting economies. (6) To investigate and study the possibilities of reforming the system of local government with a view to simplifying the organization of government. (7) To study the merit system as it relates to state and local government personnel. (8) To cooperate with the administration in devising means of enforcing the law and improving the effectiveness of administrative methods. (9) To study and inquire into the financial administration of the state government and the subdivisions thereof, the problems of taxation including assessment and collection of taxes and the distribution of the tax burden.

Pursuant to its instructions, the Council has caused to be prepared the following major research reports: **A Study of the Revenues and Appropriations of the State of Nebraska for the Biennium Beginning July 1, 1937, and Ending June 30, 1939; Taxation and Costs of Government in Nebraska; A Study of the Revenues and Appropriations of the State of Nebraska for the Biennium Beginning July 1, 1937, and Ending June 30, 1939, a Supplement; Public Assistance in Nebraska; Suggestions as to Obsolete Provisions of the Nebraska Statues; and State Civil Service in Nebraska.** The Council, as further required by law, prepared and released thirty days before the opening of the Legislature its **Conclusions and Recommendations to the Legislature.** An additional major research report, entitled **Local Government in Nebraska,** is now in course of preparation, and should be released during the current session of the Legislature.

Each member of the Legislature has received copies of the several research reports as they were approved and released, together with copies of the minutes of the Council's meetings. The Council now desires, however, to present to the assembled Legislature a copy of each of its reports, together with a copy of its Conclusions and Recommendations, and a copy of the minutes of all of its meetings to date, to become a part of the official records of the Legislature of the State of Nebraska.

Respectfully submitted,
Nebraska Legislative Council,
(Signed) Amos Thomas, Chairman.

The report was adopted.

Communication—Secretary of State

Department of State, Lincoln, Nebraska.
January 5, 1939.

To the Honorable Speaker and
Members of the Legislature:

The Clerk of your Body has notified us of your Resolution adopted January 4, requesting the Secretary of State to supply the Members and the Representatives of the Press with copies of the 1929 Statutes, and 1937 Compiled Supplement, and copies of the 1937 Session Laws and Journals.

We respectfully call your attention to the provisions of Chapter 49-508 of the 1929 Compiled Statutes requiring the State Librarian to furnish copies of the Session Laws and Journals to each Member of the Legislature. The Secretary of State, by the provisions of Chapter 49-506 is required to deliver all copies of the Session Laws and Journals remaining in his hands after the initial distribution to the State Librarian.

We further respectfully call your attention to the Provisions of Legislative Bill 216 of the Fifty-Second Session directing the Clerk of the Supreme Court to authorize some qualified person, or persons, to publish a 1937 Compiled Statute Supplement and further providing for the sale of said Supplement by the publisher at a price not exceeding Ten Dollars per copy.

For these reasons, the Secretary of State is unable to comply with your request for copies of the 1937 Session Laws and Journals and the 1937 Compiled Statute Supplement.

Respectfully submitted,
(Signed) Harry R. Swanson,
Secretary of State.

MOTION—For Placement of Blackboard

Mr. President: I move that a blackboard showing committees, place and hour of meetings, be placed in the rotunda near the door to this chamber. (Signed) Diers.

The motion prevailed.

MOTION—Plan for Printing Stationery

Mr. President: I move that the Legislative Administration Committee report Monday with a plan for printing the stationery. (Signed) Schultz.

The motion prevailed.

Adjournment

At 11:28 a. m. on motion of Mr. Diers the Legislature adjourned until Monday at 10:00 a. m.

Hugo F. Srb,
Clerk of the Legislature.

FIFTH DAY

Legislative Chamber,
Lincoln, Nebraska, January 9, 1939.

The Legislature met pursuant to adjournment at 10:00 a. m., Speaker Diers presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Fourth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Diers, one opposing pari mutuel betting; Mr. Johnson, one favoring a teachers' retirement law; Mr. Carsten, Mr. Reed, Mr. Thornton, Mr. Mueller, Mr. Howard, Mr. Mischke and Mr. Herrick, one opposing the Safety Patrol law; Mr. Murphy, asking repeal of the law requiring trucks to stop at railroad crossings; Mr. Reed, favoring reduction of old age pensions.

Communications

Department of State, Lincoln, Nebraska
January 6, 1939

Hon. Hugo Srb,
Clerk of the Legislature,
Building

Dear Mr. Srb:

We have just discovered that through a misunderstanding on the part of the clerk who drew the Certificate covering the report of the

State Canvassing Board, the name of Malcolm B. Wilcox was shown as having been elected a Regent of the State University for the Fifth District, whereas in fact Stanley D. Long was duly elected.

We are therefore submitting to you a corrected Certificate covering the complete list of candidates, and respectfully requesting that the Journal for the second day be corrected in conformity therewith.

Very truly yours,

(Signed) Harry R. Swanson,
Secretary of State.

Permission to make said correction was granted.

NOTICE OF COMMITTEE HEARINGS.

Committee on Appropriations

L. B. No. 7, Friday, January 13, 1939, 2:00 p. m.

L. B. No. 8, Friday, January 13, 1939, 2:00 p.m.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 6. By Herrick of Frontier.

A bill for an Act to amend Secs. 66-319, 66-401, 66-403, 66-404, 66-405 and 66-601, Comp. St. Supp., 1937, relating to tax imposed on motor vehicle fuels and alcohol blends; to provide for reimbursement to dealers of any part of the tax so paid on alcohol blends used or sold by said dealers for any purpose except in the operation of motor vehicles upon or over public highways, streets or alleys; to require and to prescribe specifications for separate signs to be posted at filling stations where alcohol blends, subject to reimbursement for gasoline tax paid, are sold or offered for sale; to provide penalties for violation of this Act; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 7. By Committee on Appropriations.

A bill for an Act to provide for the payment of the salaries of members of the Fifty-third Session of the Legislature of the State of

Nebraska for a period of two years commencing the first Tuesday in January, 1939; appropriating the sum of Seventy-five Thousand Dollars ($75,000.00) therefor; and to declare an emergency.

LEGISLATIVE BILL NO. 8. By Committee on Appropriations.

A bill for an Act to provide for the payment of compensation of officers and employees of the Legislature, traveling expenses of members, the payments to be made for supplies and other incidental expenses incurred during the Fifty-third Session, Nebraska State Legislature, during the biennium ending June 30, 1939 and for the ad interim activities of said Legislature during the biennium ending June 30, 1941; to appropriate the sum of $35,022.89 therefor; and to declare an emergency.

LEGISLATIVE BILL NO. 9. By Dunn of Lancaster, Craven of Lancaster, Reed of Lancaster.

A bill for an Act to amend Section 20-1625, C. S. Supp., 1937 relating to civil procedure, district court; to provide that the Jury Commissioner in counties having a population of more than one hundred thousand and less than one hundred fifty thousand inhabitants shall be paid the necessary expenses in the performance of their ex officio duties; to repeal said original section; and to declare an emergency.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
5	Schultz, et al	Revenue

MOTION—To Suspend Rule XII and Read L. B. No. 7 and No. 8 the Second Time

Mr. President: I move the rules be suspended and Legislative Bills 7 and 8 be read the second time. (Signed) Brady.

The motion prevailed with 42 ayes, 1 nay.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
7	Committee on Appropriations	Committee on Appropriations
8	Committee on Appropriations	Committee on Appropriations

RESOLUTIONS

Mr. President: I move that the Garber resolution be rereferred to the Revenue Committee. (Signed) Hall.

SUBSTITUTE MOTION—To Rerefer L. B. No. 3

Mr. President: As a substitute, I move that L. B. No. 3 be rereferred to the Committee on Banking, Commerce & Insurance. (Signed) Schultz.

The substitute motion was lost.

The original motion prevailed.

MOTION—Committee for Assignment of Bills

Mr. President: I move that the Speaker and the Chairman of the Committee on Committees sit with the Lieutenant Governor as a Committee to study the assignment of bills to the proper committee. (Signed) Brady.

The motion prevailed.

COMMITTEE REPORTS

Legislative Administration

Mr. Carsten reported that the Legislative Chamber had been arranged to accommodate visitors in accordance with the wishes of the members.

MOTION—Locks on Desks of Members

Mr. President: I move that the Committee on Legislative Administration ascertain the best means of putting locks on the legislators' desks. (Signed) Von Seggern.

The motion prevailed.

Adjournment

At 10:47 a. m. on motion of Mr. Schultz the Legislature adjourned until 10:00 a. m. Tuesday.

Hugo F. Srb,
Clerk of the Legislature.

SIXTH DAY

Legislative Chamber,
Lincoln, Nebraska, January 10, 1939.

The Legislature met pursuant to adjournment at 10:00 a. m., President Johnson presiding.

Reverend Oliver B. Proett of Gresham, Nebraska, led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Fifth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Lambert, Mr. Johnston, two each, favoring a teachers' retirement system; Mr. Diers, Mr. Johnston, Mr. Carsten, one each, favoring repeal of the automobile testing law; Mr. Hall, two favoring the automobile testing law; Members from Douglas County, one concerning adequate relief for all families in need.

Communications

A letter was read, signed by

J. L. Hall, Brotherhood of Locomotive Engineers

F. H. Chapelle, Brotherhood of Locomotive Firemen & Enginemen

Wm. Platt, Order of Railway Conductors

C. H. Bressler, Brotherhood of Railroad Trainmen

Roy M. Brewer, Nebraska State Federation of Labor
advising that they are the duly elected representatives respectively of the organizations named.

MOTION—To Change Committee Membership

Mr. President: I move that Mr. Doyle be permitted to serve on Committee on Labor & Public Welfare with Mr. Johnston going to Committee on Education. (Signed) Murphy.

The motion prevailed.

STANDING COMMITTEE REPORTS

Legislative Administration

Mr. President: Your Committee on Legislative Administration instruct me to report back to the Legislature with the recommendation that the following be employed tentatively by the Legislature:

Journal Clerk—Lyda Hafer.

Chief Bill Clerk—Frank E. Wood.

Assistant Bill Clerks—John Donahue, Joseph Henry, Herman Kroon, W. G. Adams, Dorsey Farris.

Engrossing Clerk—Agnes Heagney.

Stenographers—Maxine Ellsworth, Ruth Griffin, Jean Spencer, Billy Cowger, Laurine Tatge, Margaret Devers, Nina Burton, Katherine McKean, Cleo Lee, Frances Patrick, Mrs. George Abel, Hazel Capsey, Rosa Bickert, Helen Johnson, Steve Grandinetty, George Schmit, Lucile Ledwith.

Telephone Operator—Thelma Dinkel.

Proof Readers—Charles Webbert, M. Alice Skiff, Agnes M. Peterson, William Kralik, Thomas Doran.

Page and Messengers—Eugene G. Fowler, Harold Mack, Gilbert Benson.

Bookkeeper—F. J. McGhan.

Assistant Bookkeeper—Clara C. Turbyfill.

Custodians—

Chamber Custodian—Mike Gergen.

Assistants—Oscar F. Roeser, Frank Cameron, Udell Regin

Gallery Custodians——Carl Butkus, George A. Roberts.

Cloak Room Attendants—G. F. Martin, E. J. Keogh.

(Signed) Fred L. Carsten, Chairman.

The report and recommendation were adopted.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 10. By Hastings of Polk, Westley of Butler, Carlson of Phelps, Mueller of Buffalo.

A bill for an Act to amend Sec. 81-103, Comp. St. Supp., 1937, relating to the civil government of the State of Nebraska; to provide the schedule of annual salaries in the maximum permitted or allowed to be paid the various heads of departments, appointed by the Governor; and to repeal said original section.

LEGISLATIVE BILL NO. 11. By Callan of Gage.

A bill for an Act to amend Sec. 30-1411, Comp. St. Supp., 1937, relating to decedent estates; to provide the schedule of commissions and allowances of executors and administrators; and to repeal said original section.

LEGISLATIVE BILL NO. 12. By Neubauer of Harlan, Hastings of Polk, Garber of Webster, Miller of Kimball, Carlson of Phelps, Mischke of Knox, Carsten of Cass, Doyle of Greeley.

A bill for an Act relating to motor vehicle fuels; to exempt from taxation the sale, distribution or use of motor vehicle fuels, used in or for use in operating tractors, combines, stationary engines, pumps, machinery, motors, or for propelling aircraft, or used for or for use for any purpose other than operating or propelling motor vehicles on public roads, state highways, streets and alleys; to provide penalties for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 13. By Committee on Appropriations.

A bill for an Act specifically to reappropriate the sum of not exceeding $440,000.00, now credited to the Gasoline Highway Fund or such sums of money as may hereafter be credited to the Gasoline Highway Fund up to and including June 30, 1939, for the uses and purposes of the State Assistance Fund, not heretofore appropriated by Section 49, Chapter 193, Session Laws of Nebraska, 1937; to provide that the amounts herein reappropriated shall, for the biennium ending June 30, 1939, cease to be credited by the State Treasurer to the State Assistance Fund, if and when the limit of $7,500,000.00 appropriated to said fund for said biennium, as provided in paragraph 1, Section 49, Chapter 193, Session Laws of Nebraska, 1937, shall have been expended for the uses and purposes of said State Assistance Fund; and to declare an emergency.

LEGISLATIVE BILL NO. 14. By Klaver of Douglas, Dunn of Lancaster, Reavis of Richardson, Reed of Lancaster, Hall of Adams.

A bill for an Act relating to revenue; to provide for the cancellation of interest on general real property and personal taxes delinquent when this Act becomes a law to said date, if payment of such taxes with interest thereon from said date is made on or before December 31, 1940; to provide for the collection of such taxes; to amend Secs. 77-1963, 14-553, 15-822, 16-702 (b), 77-1502, 77-1903, 77-1904, 77-1908, 77-1910, 77-1922, 77-1931, 77-2006, 77-2007, 77-2008, 77-2009, 77-2010, 77-2011, 77-2014, 77-2018, 77-2021, 77-2040, 77-2041, 77-2105, 77-2106, 77-2107, 77-2117, 77-2120, 77-2142, 17-567 (b), 77-1815, 77-1915, 77-2001, 77-2002, 77-2004, 77-2020, 77-2101, 77-1959, 15-812, 77-2039, and 77-1964, Comp. St. Supp., 1937; to repeal said originad sections; to repeal Secs. 16-702 (a), and 17-567 (a), Comp. St. Supp., 1937; and to declare an emergency.

LEGISLATIVE BILL NO. 15. By Doyle of Greeley.

A bill for an Act relating to revenue; to authorize county boards and the governing bodies of municipalities to levy during the years 1939 and 1940, a tax of not to exceed one-half mill upon the taxable property within their corporate limits for the relief of unemployed and indigent persons under certain conditions; to provide for the expenditure of moneys collected under the Emergency Act of 1937 and 1938; to repeal Secs. 77-1823, 77-1824 and 77-1825, Comp. St. Supp., 1937; and to declare an emergency.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For title see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
6	Herrick	Revenue
9	Dunn, et al	Judiciary

MOTION—Form for Introduction of Bills

Mr. President: I move that in the introduction of bills the sponsor thereof be designated as ".......... of ...." showing only the full name of the member and the county from which he is elected. (Signed) Thomas.

The motion prevailed.

MOTION—Committee for Assignment of Bills

Mr. President: I move that the motion of January 9, providing that the Speaker and Chairman of the Committee on Committees sit with the Lieutenant Governor as a committee to study the assignment of bills to the proper committees, be referred to the Committee on Rules for consideration and report. (Signed) Brady.

The motion prevailed.

MOTION—To Change Name on Report

Mr. President: I move for unanimous consent that the name of Mrs. George Abel be substituted for the name of Mrs. George Doran as stenographer on the report of Legislative Administration Committee. (Signed) Gross.

The motion prevailed unanimously.

COMMITTEE REPORT—Judiciary

Mr. Thomas reported that Harry E. Gantz had been selected as vice-chairman of the Judiciary Committee.

COMMITTEE REPORT—Committee on Appropriations

Mr. Brady reported that John S. Callan had been selected as vice-chairman and Charles F. Tvrdik as secretary of the Committee on Appropriations.

Adjournment

At 11:22 a. m. on motion of Mr. Mueller, the Legislature adjourned until 10:00 a. m. Wednesday.

Hugo F. Srb,
Clerk of the Legislature.

SEVENTH DAY

Legislative Chamber,
Lincoln, Nebraska, January 11, 1939.

The Legislature met pursuant to adjournment at 10:00 a. m., President Johnson presiding.

Reverend Wm. G. Remboldt of Lincoln led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Sixth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Carlson, three, favoring a teachers' tenure system; Mr. Gantz, one, favoring a teachers' tenure system; Mr. Mueller, one, favoring the use of two cents of the gas tax for a pension fund; Mr. Hall, one, Mr. Reavis, one, Mr. Howard, as Chairman of Public Works Committee, two, Mr. Peterson, one, Members of Douglas County, two, all favoring the automobile testing law; Mr. Carlson, one, favoring repeal or revision of the motor testing law, exemption of tax on gasoline used in farm machinery, repeal of auto drivers license law, and modification of present trucking laws.

COMMUNICATIONS

A letter was read from Mr. Bowker of Kearney asking that a representative be given the privilege of addressing the Legislature on the question of old age pension legislation. After some discussion **Mr. Brady** made the following:

MOTION—To Refer Hearings to Proper Committee

Mr. President: I move that all matters on public hearings be referred to the proper committee. (Signed) Brady.

The motion prevailed.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L.B. No. 1, Tuesday, January 24, 1939, 2:00 p. m.

Appropriations

L.B. No. 13, Monday, January 16, 1939, 2:00 p. m.

Banking, Commerce & Insurance

L.B. No. 2, Tuesday, January 17, 1939, 2:00 p. m.

Revenue

L.B. No. 5, Tuesday, January 17, 1939, 2:00 p. m.
L.B. No. 6, Tuesday, January 17, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

The Committee on **Agriculture** announced that Mr. Johnson had been elected vice-chairman and Mr. Van Diest secretary of that committee.

The Committee on **Banking, Commerce & Insurance** announced that Mr. Thornton had been elected vice-chairman and E. A. Adams secretary of that committee.

The Committee on **Claims and Deficiencies** announced that it had elected Mr. Rossiter vice-chairman of that committee.

The Committee on **Education** announced that it had elected Mr. Miller vice-chairman and Mr. Herrick secretary of that committee.

The Committee on **Revenue** announced that it had elected Mr. Reavis vice-chairman, and Rosa Bickert clerk of said committee.

Rules

Mr. President: Your Committee on Rules offers the following amendment to Rule XX:

> "1—The Lieutenant Governor, the Speaker, and the Chairman of the Committee on Committees shall constitute the Reference Committee for the assignment of bills and resolutions to the various standing committees."

And proposes that the remaining sections of Rule XX be renumbered accordingly. I move the adoption of this amendment. (Signed) Peterson, Chairman.

The motion prevailed with 40 ayes, no nays, 3 not voting.

MOTION—To Employ Lawyer for Committee on Enrollment and Review

Mr. President: We, the undersigned, constituting the committee on Enrollment and Review, hereby move that the committee on Enrollment and Review have delegated to it the right and power to name a lawyer to act as secretary of said committee and work exclusively for and be responsible to said committee during this session of the Legislature, subject to confirmation of the Legislature. (Signed) Craven, (Chairman) Klaver, Gantz, Diers, Schultz.

The matter was discussed at length and Mr. Schultz moved the previous question. This motion was lost and after further discussion the original motion of Mr. Craven prevailed.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 16. By Craven of Lancaster, Dunn of Lancaster.

A bill for an Act to amend Section 33-110, Compiled Statutes of Nebraska, 1929, relating to fees and salaries; to fix the annual salaries of bailiffs appointed by judges of the district courts in counties having a population of more than sixty thousand inhabitants and less than one hundred twenty-five thousand inhabitants; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 17. By Miller of Kimball, Johnson of Dodge, Herrick of Frontier.

A bill for an Act to amend Secs. 60-302 and 60-801, Comp. St. Supp., 1937, relating to motor vehicles; to provide that trucks or passenger cars being towed on highways need not display registration number plates; to provide the fee to be paid for each vehicle it is desired to tow; to provide that towing permits shall be issued in triplicate and that one of said triplicate towing permits of sticker design shall be pasted and carried on the wind shield of each towing vehicle; to provide that all net towing permit fees shall be remitted by county treasurers or persons in charge of ports of entry to the state treasurer who shall credit the same to the State Highway Fund; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 18. By Schultz of Antelope.

A bill for an Act to appropriate the sum of $........... for the benefit of Lillian Irene Smoyer; and to declare an emergency.

LEGISLATIVE BILL NO. 19. By Schultz of Antelope.

A bill for an Act to appropriate the sum of $........... for the benefit of Ina F. Wathen; and to declare an emergency.

LEGISLATIVE BILL NO. 20. By Neubauer of Harlan.

A bill for an Act relating to revenue; to provide for the issuance of permits to distributors of motion pictures and film products within the State of Nebraska by the Nebraska State Railway Commission; to prescribe the annual permit fees to be paid by said distributors; to regulate the purchase of motion pictures and film products by exhibitors from distributors; to define terms used herein; to provide that the permit fees charged to and collected from distributors shall be deemed occupation taxes and not license moneys and shall inure to the general tax fund with the cost of administration deducted; to provide penalties for the violation of this Act; and to declare an emergency.

LEGISLATIVE BILL NO. 21. By Neubauer of Harlan.

A bill for an Act relating to monopolies and unlawful combinations; to prohibit the operation of motion picture theaters which are owned, controlled, managed or operated, in whole or in part by producers or distributors of motion picture films, or in which such producers or distributors have any interest; to provide penalties for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 22. By Craven of Lancaster.

A bill for an Act to amend Section 20-1916, Compiled Statutes of Nebraska, 1929, relating to civil procedure district court; to prescribe the amount, terms and conditions of undertakings on appeals from the district court to the supreme court; to repeal said original section; and to declare an emergency.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
10	Hastings	Government
11	Callan	Judiciary
12	Neubauer, et al	Revenue
13	Committee on Appropriations	Committee on Appropriations
14	Klaver, et al	Revenue
15	Doyle	Revenue

MOTION—To Add Names of Co-introducers of L. B. No. 10

Mr. President: I move that the names of M. E. Westley, Swan Carlson and Fred Mueller be added as co-introducers of L.B. No. 10. (Signed) Hastings.

The motion prevailed.

MOTION—Statutes and Journals for Members

Mr. President: I move that the State Librarian be directed to furnish to each member of the Legislature, the Lieutenant Governor, the Press and the Clerk of the Legislature, in all forty-six copies of the Compiled Statutes of Nebraska, 1929, the Session Laws of Nebraska for 1937 and the Legislative Journal for the Fifty-second Session; and that the committee on Legislative Administration be directed to purchase from the compiler 46 copies of the Compiled Supplement to the Nebraska Statutes, 1937. (Signed) Diers.

The motion prevailed.

Adjournment

At 12:07 p. m. on motion of Mr. Schultz the Legislature adjourned until 10:00 a. m. Thursday.

Hugo F. Srb,
Clerk of the Legislature.

EIGHTH DAY

Legislative Chamber,
Lincoln, Nebraska, January 12, 1939.

The Legislature met pursuant to adjournment at 10:00 a. m., President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Lambert who was excused for the day.

The Journal for the Seventh Day was approved.

MOTION—To Be Excused for the Day

Mr. President: I arise, sir, to a question of personal privilege. Last evening I was delegated by their President, Mr. Kenney, to represent the Nebraska Farmers Union at 10:00 a. m. this morning before the State Railway Commission in a public hearing on freight rates. I respectfully beg to be excused from today's session. (Signed) Garber.

The request was granted.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

President Johnson, one, Lincoln Members, one, Mr. Herrick, one, favoring highway patrol; Mr. Neubauer, one, Mr. Sorrell, one, Mr. Thornton, one, Mr. Howard (as Chairman) one, Mr. Diers, one, Mr. Mekota, one, all opposing the car testing law; Mr. Neubauer, one, asking modification of the car testing law; Mr. Westley, one, Mr. Thornton, one, opposing the safety patrol law; Mr. Gantz, one, Mr. Thornton, one, favoring a teachers' tenure system; Mr. Westley, one, asking that county attorneys be prohibited from conducting any private practice while holding such office.

MOTION—Concerning Election Contest

Mr. President: I move that the communication in reference to the contest in District No. 5 be read to the Legislature. (Signed) J. Adams, Jr.

The motion prevailed and the Clerk read the communication.

MOTION—To Appoint Committee on Election Contest

Mr. President: I move that a committee of five be appointed by the President to determine if sufficient grounds exist to conduct an extended contest hearing on District Number 5, with the attendant expense upon the state, and that Doctor Harry Foster, the contestant, and John Adams, Jr., be notified to appear before said committee. (Signed) J. Adams, Jr.

The motion prevailed and the President appointed the following members to serve on said committee:

Reavis, Chairman
Callan
Howard
Johnson
Schultz

STANDING COMMITTEE REPORTS

The Committee on **Government** announced that Mr. Gross had been elected vice-chairman and Mr. Sorrell secretary of that committee.

The Committee on **Public Health & Miscellaneous Subjects** announced that Mr. Thornton had been elected vice-chairman of that committee.

The Committee on **Legislative Administration** announced that Mr. Peterson had been elected vice-chairman and Mr. Gross secretary of that committee.

The Committee on **Public Works** announced that Mr. Van Diest had been elected vice-chairman and Mr. Lambert secretary of that committee.

The Committee on **Legislative Administration** announced that regular committee hearings will be held in the following rooms:

Agriculture	Committee Room 350
Appropriations	Governor's Hearing Room
Banking, Commerce & Ins.	Old Senate Chamber
Claims	Senate Lounge
Education	Committee Room 350
Enrollment & Review	Committee Room 353
Government	Committee Room 350
Judiciary	Supreme Court Hearing Room
Labor & Public Welfare	Old Senate Chamber
Legislative Administration	Committee Room 353
Public Health & Mis. Subs.	Committee Room 355
Public Works	Committee Room 350
Revenue	Supreme Court Hearing Room

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 23. By Ashmore of Hayes, Murphy of Scotts Bluff, Garber of Webster, Carlson of Phelps, Hastings of Polk and Thomas, E. Adams, Gutoski, Klaver, and Tvrdik of Douglas.

A bill for an Act to amend Sec. 26-108, Comp. St. Supp., 1937, relating to county government and officers; to provide that the annual levy of taxes made by county boards shall be for such purposes and amounts as provided in county budgets; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 24. By Ashmore of Hayes, Murphy of Scotts Bluff, Garber of Webster, Carlson of Phelps, Hastings of Polk, Thomas, E. Adams, Gutoski, Klaver and Tvrdik of Douglas.

A bill for an Act to amend Section 26-116, Compiled Statutes of Nebraska, 1929, relating to county government and officers; to provide conditions under which county boards may issue county warrants against the various funds provided in the county budget after the adoption of said budget; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 25. By Ashmore of Hayes, Murphy of Scotts Bluff, Garber of Webster, Carlson of Phelps, Hastings of Polk, Thomas, E. Adams, Gutoski, Klaver and Tvrdik of Douglas.

A bill for an Act to amend Section 26-117, Compiled Statutes of Nebraska, 1929, relating to county government and officers; to prescribe the form of and recitals in county warrants; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 26. By Ashmore of Hayes, Murphy of Scotts Bluff, Garber of Webster, Carlson of Phelps, Thomas, E. Adams, Gutoski, Klaver and Tvrdik of Douglas.

A bill for an Act to amend Secs. 26-2103, 26-2104, 26-2105, 26-2106, 26-2107, 26-2108 and 26-2111, Comp. St. Supp., 1937, relating to county government and officers; to amend the County Budget Act of 1937; to provide that the county budget shall present a complete financial plan for the period for which it is drawn; to provide that county budget forms and summaries thereof shall be prescribed by the Auditor of Public Accounts and the Attorney General; to provide the county budget period after December 31, 1939; to prescribe the date of hearing on said budget and for notice of hearing thereon with respect to the date of its transmittal by the budget-making authority to the county board; to provide for the public inspection of said budget in the office of the county clerk of the county after its transmittal, as aforesaid; to prescribe procedure incident to the annual levy of taxes by the county board in relation to said budget; to provide for the replacement of expenditures made after the adoption of said budget from funds arising out of taxes collected from the levy for the current fiscal year; to provide a saving clause; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 27. By Mekota of Saline.

A bill for an Act to amend Section 76-201, Compiled Statutes of Nebraska, 1929, relating to real property; to provide that deeds of real estate or any interest therein need not be executed in this state in the presence of at least one competent witness, who shall subscribe his or her name as a witness thereto; and to repeal said original section.

LEGISLATIVE BILL NO. 28. By Tvrdik of Douglas.

A bill for an Act to amend Sec. 37-502, Comp. St. Supp., 1937, relating to game and fish; to provide that seines, hoop-nets and trammel nets, the meshes of which are one and one-half inches square or larger may be used in certain portions of the Missouri river; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 29. By Craven of Lancaster.

A bill for an Act to amend Sec. 70-709, Comp. St. Supp., 1937, relating to public power and irrigation districts; to provide procedure for the issuance or sale of warrants, notes, debentures, bonds, or other evidences of indebtedness of said districts; to take away from directors of said districts and the holders of revenue debentures, notes, warrants, or other evidences of indebtedness, the right and power to fix the maximum or minimum amounts which said districts shall charge or collect for water, electric energy or other service sold by said districts; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 30. By Von Seggern of Cuming, Norman of Douglas, Gantz of Box Butte, Tvrdik of Douglas, E. Adams of Douglas, Murphy of Scotts Bluff, Klaver of Douglas.

A bill for an Act to amend Sec. 4, Article IX, Constitution of Nebraska, relating to county and township officers.

LEGISLATIVE BILL NO. 31. By Diers of York.

A bill for an Act to amend Section 26-292, Compiled Statutes of Nebraska, 1929, relating to county government and officers; to provide that township supervisors shall hereafter be elected for four year terms; and to repeal said original section.

LEGISLATIVE BILL NO. 32. By Reavis of Richardson and Gantz of Box Butte.

A bill for an act to amend Sections 57-102 and 57-103, Compiled Statutes of Nebraska, 1929, relating to oil and gas; to provide state aid upon the discovery thereof; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 33. By Reed of Lancaster, Rossiter of Thurston, Westley of Butler, Thornton of Jefferson, Doyle of Greeley, Garber of Webster, Hastings of Polk, Carlson of Phelps, Lambert of Platte.

A bill for an Act to amend Secs. 81-1002, 81-1006, 81-1010, 81-1037 and 81-1039, Comp. St. Supp., 1937, relating to dairy industry; to repeal said original sections; to repeal Section 81-1040, Comp. St. Supp., 1937; to provide that after effective date of this Act it shall be unlawful for a cream operator or cream buyer who agrees to buy exclusively for a dairying manufacturing plant or processor, to provide in said contract that upon termination of such contract no other cream station shall be operated on said premises; to provide a penalty for the violation thereof; to provide a saving clause; and to declare an emergency.

BILLS ON SECOND READING

The following bills were read the second time by title.

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
16	Craven, Dunn	Judiciary
17	Miller, et al	Revenue
18	Schultz	Claims & Deficiencies
19	Schultz	Claims & Deficiencies
20	Neubauer	Banking, Commerce & Insurance
21	Neubauer	Banking, Commerce & Insurance
22	Craven	Judiciary

MOTION—To Add Name of Co-introducer

Mr. President: I move that my name be added, as one of the introducers, on Bills 23, 24, 25, 26. (Signed) E. Adams.

The motion prevailed.

MOTION—To Add Name of Co-introducer

Mr. President: I move that my name be added to Legislative Bills 23, 24, 25, 26, as a co-introducer. (Signed) Gutoski, Tvrdik.

The motion prevailed.

MOTION—To Furnish Work Sheet of Committee on Appropriations

Mr. President: I move that a daily work sheet of the actions of the Appropriations Committee, containing budget hearings and other details be placed on each member's desk daily. (Signed) Miller.

The motion prevailed.

MOTION—To Send Notice to Introducers of Bills

Mr. President: I move that the chairman of each standing committee give written notice to the introducers whose bills are set for public hearing, showing date and time thereon. (Signed) Tvrdik.

The motion prevailed.

Adjournment

At 11:14 a. m. on motion of Mr. Carsten the Legislature adjourned until Friday at 10:00 a. m.

Hugo F. Srb,
Clerk of the Legislature.

NINTH DAY

Legislative Chamber,
Lincoln, Nebraska, January 13, 1939.

The Legislature met pursuant to adjournment at 10:00 a. m., President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Eighth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Brodecky, one, asking a reduction of the eighth grade requirements; Omaha Members, one, Mr. Howard, one, favoring the Safety Patrol law; Mr. Rossiter, one, favoring a teachers' retirement system, one, favoring an extension of the provisions of the delinquent tax law, one, asking for relief to persons who have been dismissed from the WPA rolls; Mr. Sorrell, one, favoring repeal of the automobile testing law; Mr. Van Diest, one, requesting reduction of bond for register of deeds in counties having less than 100,000 inhabitants; Mr. Doyle, one, requesting the State to purchase the site of Fort Hartsuff as a memorial to early settlers; Mr. Norman, one, favoring the Safety Patrol law.

Communications

A letter was read from L. E. Gunderson, Finance Secretary of the University of Nebraska, inviting the members of the Legislature to attend the basket ball games of the season and furnishing two tickets for each member.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L.B. No. 4, Wednesday, January 18, 1939, 2:00 p. m.

Revenue

L.B. No. 14, Thursday, January 19, 1939, 2:00 p. m.

L.B. No. 3, Thursday, January 26, 1939, 2:00 p. m.

Garber Resolution, January 26, 1939, 2:00 p. m.

The Legislature was at ease for fifteen minutes.

STANDING COMMITTEE REPORTS

Committee on Committees

Mr. President: Your Committee on Committees have designated the following members to serve on the Commission on Intergovernmental Cooperation:

Reavis
Thomas
Miller

Garber
Schultz

(Signed) Murphy, Chairman.

The President authorized the Committee to select the chairman from their number.

MOTION—To Send No Delegate

Mr. President: I move that the Legislature do not send a delegate to the Fourth General Assembly of the Council of State Governments in Washington, D. C., January 18, 1939. (Signed) Reavis.

The motion prevailed.

The Committee on Enrollment and Review announced that Mr. Klaver had been selected as vice-chairman and Mr. Gantz as secretary of that committee.

MOTION—To Add Name of Co-introducer

Mr. President: I move that the name of Tom Lambert be added to L. B. No. 33 as a co-introducer. (Signed) Reed.

The motion prevailed.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 34. By Mekota of Saline.

A bill for an Act to amend Sec. 11-409, Comp. St. Supp., 1937, relating to bonds of indebtedness; to provide that petitioners for the submission of a proposition to vote internal improvement bonds shall give bond to the local governing body submitting the proposition for the payment of the expenses of the election in the event said proposition fails to receive sixty per cent of the vote cast at such election; and to repeal said original section.

LEGISLATIVE BILL NO. 35. By Reavis of Richardson.

A bill for an Act to amend Sec. 33-109, Comp. St. Supp., 1937, relating to fees and salaries; to provide the compensation of deputies to clerks of district courts; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 36. By Reavis of Richardson.

A bill for an Act to amend Sec. 76-505, Comp. St. Supp., 1937, relating to real property; to provide that it shall be unlawful for an alien or foreign corporation to evade or avoid escheat by a transfer, colorable in form; to provide penalties for the violation thereof; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 37. By Callan of Gage, Diers of York, Murphy of Scotts Bluff, Howard of McPherson.

A bill for an Act relating to health, safety and welfare; to provide for the regulation and manufacture of bread and other bakery products for human consumption; to declare the purpose of and the necessity for such regulation; to define terms used herein; to provide a system of licenses for bakers, distributors and peddlers of bakery products within this state and for the refusal, revocation or suspension of such licenses; to establish a system of license fees; to establish standards of health and sanitation for the baking industry; to create a state bakery board with a deputy administrator within the Department of Agriculture and Inspection; to define its powers and duties and to provide for the method of procedure before such board and appeals therefrom; to prescribe weights at which bakery products shall be sold in this state; to provide minimum standards and maximum sizes for bakery products; to require the posting of terms and prices of bakery products; to prohibit certain trade practices; to establish the State Bakery Board Fund, to provide for its management and to protect its estimated accruals from fees earned and its unexpended balances from appropriation or reappropriation either by the State Board of Equalization and Assessment or by the Legislature, save and except for the uses and purposes of this Act; to amend Sec. 77-1007, Comp. St. Supp., 1937, eliminating entirely the receipts and fees, estimated or unappropriated, credited to or to be credited to said fund in making the levy of state taxes in any taxing period; to amend Sec. 89-170, Comp. St. Supp., 1937; to repeal said original sections; to designate a short title for this Act; to provide penalties for the violation of this Act; to provide that this Act shall be construed as supplemental to and cumulative with Secs. 89-169, 89-171 and 89-172, Comp. St. Supp., 1937; to provide a saving clause; and to declare an emergency.

LEGISLATIVE BILL NO. 38. By Garber of Webster.

A bill for an Act to repeal Article 9, Chapter 76, Compiled Statutes Supplement, 1937, relating to real estate brokers and real estate salesmen; and to declare an emergency.

LEGISLATIVE BILL NO. 39. By Dunn of Lancaster.

A bill for an Act to amend Section 20-1082, Compiled Statutes of Nebraska, 1929, relating to civil procedure, district court; to provide the method and manner of serving notice of application for appointment of receiver upon the adverse party or his solicitor; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 40. By Thomas of Douglas.

A bill for an Act relating to partnerships; to provide for the formation of limited partnerships; to prescribe procedure therefor; to enumerate the types of businesses that may be operated thereunder; to provide the rights, powers and liabilities of special and general partners; to provide procedure for the dissolution of such partnerships; to provide for the distribution of assets; to provide for the filing, cancellation and amending certificates of limited partnership; to provide that this Act shall be known as the **Uniform Limited Partnership Act;** to provide rules of construction for interpreting the provisions of said Act; to provide that existing limited partnerships shall continue to be governed by Sections 67-104 to 67-128, inclusive, Compiled Statutes of Nebraska, 1929; to provide procedure for the change of existing limited partnerships to limited partnerships provided for in this Act; to provide saving and validity clauses; to repeal Sections 67-104, 67-105, 67-106, 67-107, 67-108, 67-109, 67-110, 67-111, 67-112, 67-113, 67-114, 67-115, 67-116, 67-117, 67-118, 67-119, 67-120, 67-121, 67-122, 67-123, 67-124, 67-125, 67-126, and 67-127, Compiled Statutes of Nebraska, 1929.

LEGISLATIVE BILL NO. 41. By Tvrdik of Douglas, Gutoski of Douglas, Norman of Douglas, Adams, Ernest A., of Douglas, Thomas of Douglas.

A bill for an Act to amend Sections 79-2705 and 32-1106, Compiled Statutes of Nebraska, 1929, relating to schools; to provide a method for the election of members of the board of education in metropolitan cities; and to repeal said original sections.

LEGISLATIVE BILL NO. 42. By Dunn of Lancaster.

A bill for an Act to amend Sections 38-412 and 38-506, Compiled Statutes of Nebraska, 1929, relating to guardian and ward; to provide that the guardian of any ward of the United States Veterans' Bureau shall invest trust funds in accordance with Sec. 27-601, Comp. St. Supp., 1937; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 43. By Dunn of Lancaster, Craven of Lancaster, Reed of Lancaster.

A bill for an Act to amend Section 77-1006, Compiled Statutes of Nebraska, 1929, relating to revenue; to provide that the county assessors in counties having a population of more than fifty thousand inhabitants and less than one hundred fifty thousand inhabitants shall be empowered to correct clerical errors in the tax list; to provide that the county assessor of said counties, with the approval of the county board of said counties, may correct the tax list before the tax is paid in case of erroneous assessments in said counties; to provide procedure for the exercise of said power; to repeal said original section; and to declare an emergency.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L. B. No.	Introducer	Committee Reference
23	Ashmore, et al	Government
24	Ashmore, et al	Government

25	Ashmore, et al	Government
26	Ashmore, et al	Government
27	Mekota	Judiciary
28	Tvrdik	Public Health & Misc. Subjects
29	Craven	Public Works
30	Von Seggern, et al	Government
31	Diers	Government
32	Reavis, Gantz	Labor & Public Welfare
33	Reed, et al	Agriculture

REPORT OF COMMITTEE ON ELECTION CONTEST

Mr. President: Your committee appointed by the Lieutenant Governor to determine whether sufficient grounds exist to conduct an extended election contest hearing on District No. 5 have set Monday, January 16, 1939, at the hour of 2:00 p. m. at the Senate Lounge in the State House as the time and place for said hearing. (Signed) Reavis, Chairman.

Adjournment

At 11:20 a. m. on motion of Mr. Murphy the Legislature adjourned until 10:00 a. m. Monday.

Hugo F. Srb,
Clerk of the Legislature.

TENTH DAY

Legislative Chamber,
Lincoln, Nebraska, January 16, 1939.

The Legislature met pursuant to adjournment at 10:00 a. m., President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Ninth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Lambert, one, requesting reduction of bond for register of deeds in counties having less than 100,000 inhabitants; Mr. Ashmore, one, favoring the Safety Patrol law; Mr. Hastings, one, Mr. Garber one, opposing the automobile testing law; Mr. Mueller, one, favoring a teachers' retirement system.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. No. 9, Monday, January 23, 1939, 2:00 p. m.

L. B. No. 11, Monday, January 23, 1939, 2:30 p. m.

L. B. No. 16, Monday, January 23, 1939, 3:00 p. m.

L. B. No. 22, Monday, January 23, 1939, 3:00 p. m.

Public Works

L. B. No. 29, Wednesday, January 25, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Appropriations

LEGISLATIVE BILL NO. 7. Placed on General File.

LEGISLATIVE BILL NO. 8. Placed on General File.

(Signed) Brady, Chairman.

Enrollment and Review

Mr. President: The Committee on Enrollment and Review reports that on Friday, January 13, 1939, it unanimously selected Mr. Barlow Nye as attorney for said committee. I move to approve the report of the committee and confirm the appointment of Mr. Nye.

(Signed) Craven, Chairman.

The motion prevailed.

MOTION—To Fix Salary of Attorney

Mr. President: I move that the salary of Mr. Barlow Nye, who has been selected as attorney for the Enrollment and Review Committee be fixed by the Legislature. (Signed) Diers.

The motion prevailed.

MOTION—To Fix Amount of Salary

Mr. President: I move that the salary of the attorney for the Enrollment and Review Committee be set at $15.00 per day.

(Signed) Ashmore.

SUBSTITUTE MOTION—To Fix Amount of Salary

Mr. President: I move that the compensation of the attorney for the Enrollment and Review Committee be fixed at the rate of $375.00 per month. (Signed) Thomas.

The Legislature was at ease for 15 minutes.

The President called the Legislature to order.

The substitute motion prevailed.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 44. By Dunn of Lancaster, John Adams Jr. of Douglas.

A bill for an Act to credit funds granted and credited by the United States to the Nebraska Unemployment Compensation Fund, pursuant to Act of Congress, Chapter 755, 50 Stat. 754, approved August 24, 1937, to Employers Reserve Accounts within the Nebraska Unemployment Compensation Fund upon showing, provided for within sixty (60) days from the effective date of this Act, and to credit the balance of said granted funds to the Pooled Account of Nebraska Unemployment Compensation Fund, and to repeal all Acts in conflict herewith, and to declare an emergency.

LEGISLATIVE BILL NO. 45. By Sorrell of Otoe.

A bill for an Act relating to civil procedure in the various courts of the State of Nebraska, and to determine the time of commencement of a civil action when new parties are brought in or when new parties intervene after the filing of the original petition; and to declare an emergency.

LEGISLATIVE BILL NO. 46. By Sorrell of Otoe.

A bill for an Act to amend Section 28-1212, Compiled Statutes of Nebraska, 1929, relating to cheats and swindles; to provide the minimum penalty for the first offense for making, drawing, uttering or delivering insufficient fund checks in a sum not exceeding thirty-five dollars; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 47. By Sorrell of Otoe.

A bill for an Act to amend Sections 52-501, 52-502 and 52-503, Compiled Statutes of Nebraska, 1929, relating to liens; to grant owners or operators of threshing machines, combines or corn shellers a lien upon any grain or seed threshed, combined, hulled or shelled by such machines; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 48. By Sorrell of Otoe.

A bill for an Act relating to crimes and punishments; to provide that it shall be unlawful to threaten another in a menacing manner with a dangerous weapon; to provide penalties for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 49. By Lambert of Platte.

A bill for an Act to amend Section 28-1023, Compiled Statutes of Nebraska, 1929, relating to tobaccos and cigarettes; to prohibit any wholesaler of tobaccos or cigarettes from selling or delivering any tobaccos or cigarettes to any retail dealer who shall not, at the time of said sale or delivery, be the recipient of a valid tobacco license for the current year; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 50. By Schultz of Antelope.

A bill for an Act to amend Sec. 39-1404, Comp. St. Supp., 1937, relating to state highways; to provide that the Department of Roads and Irrigation shall maintain any additional highways built in whole or in part with federal funds granted through the Works Progress Administration, if said highways shall have heretofore been designated as state highways, do not have greater than an eight per cent grade, are not less than twenty-six feet wide from shoulder to shoulder and four or more miles of construction shall have been completed thereon; and to repeal said original section.

LEGISLATIVE BILL NO. 51. By Carsten of Cass, Neubauer of Harlan, Hastings of Polk, Johnston of Hall.

A bill for an Act to amend Sec. 33-129, Comp. St. Supp., 1937, relating to fees and salaries; to fix the compensation of precinct assessors; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 52. By Dunn of Lancaster.

A bill for an Act to amend Secs. 53-350 and 53-357, Comp. St. Supp., 1937, relating to liquors; to provide that no tax shall be imposed on wine when sold to a non-beverage user as defined by Section 53-302, Comp. St. Supp., 1937; to repeal said original sections; and to declare an emergency.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L. B. No.	Introducer	Committee Reference
34	Mekota	Government
35	Reavis	Judiciary
36	Reavis	Judiciary
37	Callan, et al	Banking, Com. & Ins.
38	Garber	Banking, Com. & Ins.
39	Dunn	Judiciary
40	Thomas	Judiciary
41	Tvrdik, et al	Education
42	Dunn	Judiciary
43	Dunn, et al	Government

GENERAL FILE

LEGISLATIVE BILL NO. 7. Read and considered.

LEGISLATIVE BILL NO. 8. Read and considered.

MOTION—To Suspend Rules and Refer for Engrossment

Mr. President: I move that Rule XIII be suspended and that L. B. No. 7 and L. B. No. 8 be referred to the Committee on Enrollment and Review for engrossment. (Signed) Brady.

The motion prevailed with 41 ayes, 1 nay, 1 not voting.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 7. Correctly engrossed.

LEGISLATIVE BILL NO. 8. Correctly engrossed.

(Signed) Craven, Chairman.

MOTION—To Suspend Rules and Place on Third Reading

Mr. President: I move that Rule XIII be suspended and that L. B. No. 7 and L. B. No. 8 be placed on Third Reading. (Signed) Brady.

The motion prevailed with 42 ayes, 1 nay.

Adjournment

At 11:45 a. m. Mr. Mueller moved that the rules be suspended and that the Legislature adjourn until Tuesday at 10:00 a. m.

The motion prevailed with 42 ayes, 0 nays, 1 not voting.

Hugo F. Srb,
Clerk of the Legislature.

ELEVENTH DAY

Legislative Chamber,
Lincoln, Nebraska, January 17, 1939.

The Legislature met pursuant to adjournment at 10:00 a. m., Speaker Diers presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Tenth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Rossiter, twenty-six, Mr. Sorrell, one, favoring certain amendments to the Motor Carrier act; Mr. Hall, one, favoring repeal of present truck regulations; Mr. Mueller, one, requesting reduction of bond for register of deeds in counties having less than 100,000 inhabitants.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. No. 27, Wednesday, January 25, 2:00 p. m.

L. B. No. 35, Wednesday, January 25, 2:00 p. m.

L. B. No. 39, Wednesday, January 25, 2:00 p. m.

L. B. No. 40, Wednesday, January 25, 2:00 p. m.

L. B. No. 42, Wednesday, January 25, 2:00 p. m.

L. B. No. 36, Friday, January 27, 2:00 p. m.

STANDING COMMITTEE REPORTS

Appropriations

LEGISLATIVE BILL NO 13. Placed on General File

(Signed) Brady, Chairman.

MESSAGE FROM THE GOVERNOR

Game, Forestation and Parks Commission
Dr. M. M. Sullivan

Lincoln, Nebraska.
January 16th, 1939.

To the members of the Legislature of Nebraska

Gentlemen:

I am herewith submitting to you for your consideration the nomination of Dr. M. M. Sullivan to succeed himself as a member of the State Game, Forestation and Parks Commission for the term ending January 15th, 1943.

As a member of this Commission, Dr. Sullivan has served earnestly and well in the interest of conservation and propagation of our game and fish, and in carrying out the other duties required of a member of this Commission.

Dr. Sullivan was appointed on December 16th, 1937, when the Legislature was not in session.

Respectfully submitted,
(Signed) R. L. Cochran,
Governor.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 53. By Carsten of Cass, Gantz of Box Butte, Ernest A. Adams of Douglas.

A bill for an Act to amend Sec. 79-524, Comp. St. Supp., 1937, relating to schools; specifically to appropriate, for the biennium ending June 30, 1941, the sum of twenty thousand dollars, or so much thereof as may be necessary, for the purpose of paying the tuition of children whose parents are officers or enlisted men of the United States army, navy or marine corps, on duty in the State of Nebraska; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 54. By Mischke of Knox.

A bill for an Act to amend Sec. 33-120 (a), Comp. St. Supp., 1937, relating to fees and salaries; to eliminate daily fee of $1.50 heretofore allowed sheriffs as jailers in the several counties; to repeal said original section and to repeal Sec. 33-120 (b), Comp. St. Supp., 1937; and to declare an emergency.

LEGISLATIVE BILL NO. 55. By Hastings of Polk, Miller of Kimball.

A bill for an Act to amend Sections 84-205, 44-204, 75-211, 75-212, 77-617 and 81-5504, Compiled Statutes of Nebraska, 1929; to amend Secs. 53-324 and 76-909, Comp. St. Supp., 1937; and to amend Sections 84-203, 84-209 and 44-1110, Compiled Statutes of Nebraska, 1929, relating to state administrative departments; to provide that the employment of special counsel by the several constitutional officers, executive departments, boards, bureaus, commissions or other administrative agencies of the state shall be permitted and allowed only through the office of the attorney general pursuant to specific appropriations therefor made from time to time as the Legislature shall provide; to provide penalties for the violation thereof; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 56. By Sorrell of Otoe.

A bill for an Act to amend Secs. 53-337 and 53-398, Comp. St., Supp., 1937, relating to liquors; to provide that no beer shall be sold at retail outside the corporate limits of cities and villages on the first day of the week commonly called Sunday or on secular days not later than twelve o'clock midnight nor earlier than six o'clock a. m. or unless the licensed premises be constantly policed by a deputy sheriff, appointed by the sheriff of the county, approved by the county board and assigned for duty to said premises by the said sheriff for the purpose of supervising the same; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 57. By Craven of Lancaster.

A bill for an Act relating to civil procedure; to provide that direct actions may be brought against insurers by injured parties or their representatives; to define the venue of such actions; and to declare an emergency.

LEGISLATIVE BILL NO. 58. By Craven of Lancaster.

A bill for an Act to amend Sections 35-201, 35-202 and 35-203, Compiled Statutes of Nebraska, 1929, relating to fire companies and firemen; to prescribe the eligibility of firemen, now, heretofore or hereafter being members of the paid fire departments in cities of the first class having a population of more than forty thousand and less than one hundred thousand inhabitants, to pensions for themselves and their dependents; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 59. By Schultz of Antelope, Hall of Adams, Thornton of Jefferson, Lambert of Platte, Gantz of Box Butte, Westley of Butler.

A bill for an Act to amend Section 35-401, Compiled Statutes of Nebraska, 1929, relating to fire insurance companies and firemen; to provide that municipal treasurers in municipalities having a population of twenty-five thousand inhabitants or less shall, upon proper claim filed with the local governing body of said municipalities by the chiefs of fire departments therein, pay over all annual fire insurance companies' tax to said chief for the use, support and benefit of said department; to prescribe the duties of municipal clerks with respect to the collection and disposition of the proceeds of said tax; to provide when said fire insurance companies shall be deemed to be doing business in said municipalities; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 60. By Neubauer of Harlan.

A bill for an Act to amend Sec. 77-2004, Comp. St. Supp., 1937, relating to revenue; to provide for the publication of the delinquent tax list in two or more legal newspapers of the county, each newspaper to be allotted a definite portion of the county territory, in the discretion of the county board; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 61. By Dunn of Lancaster, Thornton of Jefferson, Hall of Adams, Miller of Kimball, Johnson of Dodge, Craven of Lancaster, Westley of Butler, Brodecky of Colfax.

A bill for an Act relating to schools; relating to retirement of teachers; to establish a Teachers Retirement System; to provide for a retirement fund for teachers and for the administration thereof; to appropriate the sum of ten thousand dollars annually, or so much thereof as may be necessary, out of the general fund of the State of Nebraska, to pay the expenses of administering said system; to define certain crimes and offenses under this Act and to provide penalties therefor; and to declare an emergency.

LEGISLATIVE BILL NO. 62. By Doyle of Greeley.

A bill for an Act to amend Section 51-203, Compiled Statutes of Nebraska, 1929, relating to libraries; to provide for the selection and compensation of treasurers for township library boards; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 63. By Garber of Webster.

A bill for an Act to amend Section 2-201, Compiled Statutes of Nebraska, 1929, relating to agriculture; to provide that county support to county agricultural societies and fairs through direct levies upon real or personal property of such counties subject to taxation shall be permissive and not mandatory; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 64. By Lambert of Platte.

A bill for an Act to amend Sec. 18-2201, Comp. St. Supp., 1937, relating to municipalities; to provide procedure for the refunding of outstanding pledge warrants, revenue bonds or revenue debentures which are not general obligations of the municipality; to repeal said original section; and to declare an emergency.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L. B. No.	Introducer	Committee Reference
44	Dunn, Adams, J. Jr.	Labor and Public Welfare
45	Sorrell	Judiciary
46	Sorrell	Judiciary
47	Sorrell	Judiciary
48	Sorrell	Judiciary
49	Lambert	Government
50	Schultz	Public Works
51	Carsten	Government
52	Dunn	Revenue

GENERAL FILE

LEGISLATIVE BILL NO 13. Read and considered.

MOTION—To Suspend Rules and Refer for Engrossment

Mr. President: I move that Rule XIII be suspended and L. B. No. 13 be referred to Committee on Enrollment and Review for engrossment. (Signed) Brady.

The motion prevailed with 43 ayes.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO 13. Correctly engrossed.
(Signed) Craven, Chairman.

Claims and Deficiencies

Mr. President: Your Committee on Claims and Deficiencies adopted a motion wherein all claims must be filed with the committee by Saturday, February 25, 1939. (Signed) Adams, E. Chairman.

Mrs. Marjorie Stark, a former member from Norfolk, addressed the Legislature briefly.

Adjournment

At 11:02 a. m. Mr. Dunn moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Wednesday.

The motion prevailed with 39 ayes, 0 nays, 4 not voting.

Hugo F. Srb,
Clerk of the Legislature.

TWELFTH DAY

Legislative Chamber,

Lincoln, Nebraska, January 18, 1939.

The Legislature met pursuant to adjournment at 10:00 a. m. Speaker Diers presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Eleventh Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Diers, one, requesting repeal of the automobile testing law; Mr. Brady, two, requesting a state highway to connect highways numbered 11 and 83; two, requesting a state highway from Page to Lynch; one requesting a state highway from Lynch to Gross; Mr. Schultz, requesting a law giving county boards equal authority with state officials in locating state highways; Mr. Callan, one, opposing the automobile testing law; and one, favoring a bill to prohibit the sale, for commercial purposes, of any kind of fish taken from the waters of Nebraska; Mr. Sorrell, one, requesting amendments to the present truck law.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

L. B. No. 2 (2nd Hearing) Tuesday, January 31, 1939, 2:00 p. m.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 65. By Ernest A. Adams of Douglas.

A bill for an Act to amend Sec. 44-804, Comp. St. Supp., 1937, relating to insurance; to regulate insurance contracts executed by and between insurers and minors; and to repeal said original section.

LEGISLATIVE BILL NO. 66. By Johnson of Dodge.

A bill for an Act to amend Section 24-703, Compiled Statutes of Nebraska, relating to corporations; to provide qualifications for trustees or directors of educational institutions; and to repeal said original section.

LEGISLATIVE BILL NO. 67. By Reavis of Richardson, Gutoski of Douglas, Thornton of Jefferson, Hastings of Polk, Johnston of Hall, Brodecky of Colfax, Tvrdik of Douglas, Norman of Douglas, Mueller of Buffalo, Sorrell of Otoe, John Adams Jr. of Douglas.

A bill for an Act relating to cities of the metropolitan class, and to cities of the first class having a population of five thousand or more inhabitants; to provide for the creation of a police civil service commission in each of such cities; to permit the creation of such commissions in cities and villages having a population of less than five thousand inhabitants; to prescribe the method of appointment of members of such commissions and their powers, duties and qualifications as such; to provide as to the manner and means by which such powers shall be exercised, and the persons affected thereby; to provide for the adoption by such commissions of rules and regulations governing the administration of their duties; to prescribe the qualifications of candidates for the police force, members thereof and the chief in all cities affected hereby; to prescribe the manner of selection of members of the police force and the chief; to provide for the method of ascertaining and fixing the seniority rights of members of the police force and to provide the method of demotion, elevation and suspension of members; to provide for hearings and appeals therefrom; to require the giving of testimony; to prohibit false testimony, campaign contributions for political purposes, or any violation of any provision hereof; to prescribe penalties therefor; and to repeal any section or parts of sections of any statutes in conflict herewith or any part hereof; and to declare an emergency.

LEGISLATIVE BILL NO. 68. By Gantz of Box Butte.

A bill for an Act to amend Sec. 79-1007, Comp. St. Supp., 1937, relating to schools; to provide the compensation to be paid to secretaries employed by boards of regents in county high school districts; and to repeal said original section.

LEGISLATIVE BILL NO. 69. By Sorrell of Otoe.

A bill for an Act to amend Secs. 66-812, 66-814, 66-817, 66-818 and 66-819, Comp. St. Supp., 1937, relating to the transportation of motor vehicle fuels; to define motor vehicles when used in connection with said transportation; to provide the amount of permit fees for said vehicles when used therein; to prescribe where said permits to be furnished by the Department of Roads and Irrigation shall be carried on said vehicles; to outline procedure for transferring said permits; to regulate traffic by said vehicles on Sunday, Labor Day and Independence Day; to regulate the hours of duty for drivers operating said vehicles; and to repeal said original sections.

LEGISLATIVE BILL NO. 70. By Miller of Kimball, Neubauer of Harlan, Hastings of Polk.

A bill for an Act relating to crimes and punishment; to prohibit the practice of nepotism by public officers and public employers; and to provide penalties for the violation thereof.

LEGISLATIVE BILL NO. 71. By Miller of Kimball, Neubauer of Harlan, Hastings of Polk.

A bill for an Act relating to labor; to limit employment of spouses of public employees; to declare that contracts of employment made with persons whose spouses are so employed shall be null and void; to provide for the recovery of any money paid to such person whose spouse is so employed; to exempt from the provisions of this Act all persons employed by individual contractors having a contract with the State of Nebraska or any governmental subdivision or agency thereof; to provide a penalty for the violation of this Act; and to declare an emergency.

LEGISLATIVE BILL NO. 72. By Johnson of Dodge.

A bill for an Act relating to the public morals; to prohibit marathons, marathon dances, walkathons, skatathons, bikathons or other mental and physical endurance contests or performances; to declare all places, buildings and premises upon or in which the same may be conducted a public nuisance; to provide certain exceptions therefrom; to prescribe penalties for the violation of this Act; and to declare an emergency.

LEGISLATIVE BILL NO. 73. By Dunn of Lancaster.

A bill for an Act to amend Section 20, Article IV, and to amend Section 3, Article XVII, Constitution of Nebraska, relating to the appointment of members of the State Railway Commission by the Governor with the advice and consent of the Legislature.

LEGISLATIVE BILL NO. 74. By Westley of Butler, Doyle of Greeley, Miller of Kimball, Hastings of Polk, Mischke of Knox, Norman of Douglas.

A bill for an Act relating to public health and welfare; to provide for the sanitary regulations and licensing of barber shops and barber schools; to empower and authorize cities of the metropolitan, first and second class, and villages to pass and enforce ordinances to regulate the opening and closing of barber shops in conformity with the provisions of this Act; to fix fees for regulation of such barber shops and barber schools and for the annual renewal thereof; to provide penalties for the violations of the provisions of the Act; to provide for the approval of price agreements in each legislative district, county, city or village within the State of Nebraska; and further to enlarge the present powers of the Board of Barber Examiners.

LEGISLATIVE BILL NO. 75. By Westley of Butler.

A bill for an Act to amend Sec. 71-2023, Comp St. Supp., 1937, relating to public health and welfare; to fix the compensation of members of the Board of Barber Examiners on a monthly instead of a per diem basis; to provide that said board members shall be reimbursed for necessary travelling expenses in the discharge of their duties; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 76. By Tvrdik of Douglas.

A bill for an Act relating to public works; to provide that the State of Nebraska and the governmental subdivisions thereof in awarding contracts for labor and materials shall give preference to bids most advantageous to the people of this state; and to declare an emergency.

LEGISLATIVE BILL NO. 77. By Dunn of Lancaster, Craven of Lancaster.

A bill for an Act to amend Section 30-417, Compiled Statutes of Nebraska, 1929, relating to Decedents' estates; to provide for the powers of executors and administrators in the case of fraudulent conveyances by deceased persons; and to repeal said original section.

LEGISLATIVE BILL NO. 78. By Gutoski of Douglas, Hall of Adams, Thornton of Jefferson, Rossiter of Thurston, Ernest A. Adams of Douglas.

A bill for an Act to amend Sec. 44-902, Comp. St. Supp., 1937, relating to insurance; to empower assessment companies to limit the liability of their members for future assessments; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 79. By Ernest A. Adams of Douglas.

A bill for an Act to amend Section 81-904, Compiled Statutes of Nebraska, 1929, relating to pure food; to provide that gifts, premiums or prizes, or articles other than food may be placed in packages of food products and said packages shall not be deemed misbranded; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 80. By Garber of Webster.

A bill for an Act to amend Sec. 66-401, Comp. St. Supp., 1937, relating to motor vehicle fuels; to define the terms **tank farm, refinery, pipe line, dealers** and **received** as said terms apply to taxes imposed upon the sale or use of motor vehicle fuels by the State of Nebraska; to repeal said original section; and to declare an emergency.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L. B. No.	Introducer	Committee Reference
53	Carsten	Appropriations
54	Mischke	Government
55	Hastings, Miller	Government
56	Sorrell	Public Health & Misc. Subs.
57	Craven	Judiciary
58	Craven	Government
59	Schultz, et al	Government
60	Neubauer	Government
61	Dunn, et al	Education
62	Doyle	Public Health & Misc. Subs.
63	Garber	Agriculture
64	Lambert	Government

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 7. (With emergency clause)

A bill for an Act to provide for the payment of the salaries of members of the Fifty-third Session of the Legislature of the State of Nebraska for a period of two years commencing the first Tuesday in January, 1939; appropriating the sum of Seventy-five Thousand Dollars ($75,000.00) therefor; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative 43:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 8. (With emergency clause)

A bill for an Act to provide for the payment of compensation of officers and employees of the Legislature, traveling expenses of members, the payments to be made for supplies and other incidental expenses incurred during the Fifty-third Session, Nebraska State Legislature, during the biennium ending June 30, 1939, and for the ad interim activities of said Legislature during the biennium ending June 30, 1941; to appropriate the sum of $35,022.89 therefor; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 43.

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—To Propose Amendment to Rules

Mr. President: I move that the Rules Committee be directed to submit a proposed amendment to the rules to provide that all appointments submitted to the Legislature for confirmation be referred to the appropriate committee for investigation and report. (Signed) Brady.

The motion prevailed.

BIENNIAL REPORT—Clerk of Legislature

Lincoln, Nebraska,
January 3, 1939.

To the President and Members
of the Nebraska Legislature.

Gentlemen:

I submit herewith a report of the expenditures for the 1937 session of the Nebraska Legislature, including the expense of the office of the Clerk of the Legislature during the interim.

While I do not wish to detail duties performed during the interim, I do wish to mention some of the more important matters which have received attention by our office.

At the close of the session the journal clerk and a proofreader from the engrossing room were retained to assist in the Clerk's office, in addition to the custodian provided for by the Legislature. Due to ill health of Mr. Bradley, the custodian, a part time assistant was employed and after the death of the custodian the assistant took over the duties of that office.

To compile the Session Laws it was necessary to arrange the acts consistent with the Compiled Statutes, prepare "running titles," check each law and list the sections of the Statutes, Supplement or Session Laws that had been affected by the legislation passed in the last session, and prepare the general index in conformity with the index of the Compiled Statutes. This necessarily entailed much proofreading and checking, and was completed in October. The Session Laws consisted of 856 pages, with 30 pages additional covering the numerous indices.

The Legislative Journal was proofed for the permanent volume and indexed. In addition to the general index, it contains a chronology of all bills introduced, showing the date and page of the Journal for the progress and disposition of each bill introduced.

During the summer of 1937 the Clerk supervised the cleaning of both legislative chambers, including demothing the rugs and draperies therein and renovating the walls in the rooms occupied by the Legislative Reference Bureau.

The Clerk of the Legislature was also appointed Temporary Director of Research at the organization meeting of the Legislative Council and in addition to general office work, prepared and presented reports to the Legislative Council in December, 1937.

At the December meeting of the Legislative Council that body requested the Clerk to prepare a report, in conjunction with the Nebraska State Bar Association, concerning obsolete and conflicting provisions of the Nebraska Statutes. All county attorneys, county judges and state officers were contacted by letter in this survey and suggestions were received involving several hundred sections of the statutes. This material was checked and classified under the headings of obsolete provisions, conflicting provisions, suggestions involving a change of policy, and a detailed list concerning legislation on public welfare. Under the direction of the Legislative Council this material will be turned over to the Chairman of the Judiciary Committee of the Legislature.

The Clerk has been charged with the supervision of the Legislative chambers, cloak rooms and office rooms and with the care and custody of the legislative furniture. During the interim the different rooms have been used for various meetings of state departments for public lettings, public examinations, committee meetings and the like, and several hundred scheduled meetings have been held in the various rooms, in addition to many meetings not scheduled. Some of the legislative furniture has been used by various state departments and has been assembled, immediately previous to the session, in the legislative rooms.

In addition to the above, the Clerk has conducted the general office business and taken care of the inquiries for Legislative bills and other legislative information, retaining but one office secretary since the completion of the Permanent Journal and Session Laws.

We have attempted, in so far as possible, to carry out the wishes of the Legislature as expressed in L. B. 559 and such additional duties as we thought proper.

Respectfully submitted,
(Signed) Hugo F. Srb
Clerk of the Legislature.

LEGISLATIVE EXPENSE FIFTY-SECOND SESSION

STATE OF NEBRASKA

From January 5, 1937 to December 31, 1937

	App. 1	E-2	E-3	E-4	E-5	6	E-8	8	10
Salary of Members		37,499.87							
Mileage of Members			565.11						
Salary of Officers and Employees				42,126.36					
Office Supplies					3,348.71				
Signs and Cards					82.75				
Postage	2,000.00				4,300.00				
Telephone					434.98				
Journals (Daily)					5,555.76				
Printing Bills					8,526.77				
Flowers					40.60				
Session Laws (Separates)					1,184.60				
Transportation and Lodging					188.36				
C. S. Supplement 1935 for Members					253.00				
Repairs and Upkeep					884.05				
Furniture and Fixtures					483.07				
Salary of Clerk from May 15 to July 1							450.00		
Salary, Clerk 6 mos.								1,800.00	
Bound Session Laws									2,586.80
Permanent Journal									1,477.12
Legislative Council						711.56			
Totals	2,000.00	37,499.87	565.11	42,126.36	25,282.65	711.56	450.00	1,800.00	4,063.92

December 31, 1937.

Grand Total $114,499.47

LEGISLATIVE REPORT

From January 5, 1937 to January 1, 1939

Amount of Appropriation for biennium	2,000.00	75,000.00	3, 4, 5		76,693.60	15,000.00	7,650.00		10,000.00	
	App. 1	E-2	E-3	E-4	E-5	6	E-8	8	10	Total
From January 5, 1937, to December 31, 1937										
Total Expense	2,000.00	37,499.87	565.11	42,126.36	25,282.65	711.56	450.00	1,800.00	4,063.92	114,499.47
(For details see report that date)										
From January 1, 1938 to January 1, 1939										
Salary of Members		37,499.87								
Salary of Clerk								3,600.00		
Salary of Employees				3,217.25						
Office Supplies					134.95					
Telephone					106.65					
Printing					56.60					
Flowers					7.50					
Furniture & Fixtures					60.80					
Office Equipment					112.84					
Legislative Council						6,142.13				
Total for twelve months		37,499.87		3,217.25	479.34	6,142.13		3,600.00		50,938.59
Total for biennium	2,000.00	74,999.74	565.11	45,343.61	25,761.99	6,853.69	450.00	5,400.00	4,063.92	165,438.06
Total of 3, 4 and 5					71,670.71					
Balance in Appropriation		.26			5,022.89	8,146.31		1,800.00	5,936.08	

December 31, 1938.

Hugo F. Srb,
Clerk of the Legislature.

MOTION—To Dispense with Reading Financial Report

Mr. President: I move that the Clerk dispense with the reading of the financial section of the report because the same will appear in the Journal. (Signed) Carsten.

The motion prevailed.

MOTION—To Receive Report

Mr. President: I move that the report of the Clerk of the Legislature be received. (Signed) Thomas.

The motion prevailed.

STANDING COMMITTEE REPORTS

Enrollment and Review.

LEGISLATIVE BILL NO. 7. Correctly enrolled.

LEGISLATIVE BILL NO. 8. Correctly enrolled.
(Signed) Craven, Chairman.

SPEAKER SIGNS

While the Legislature was in session and capable of transacting business, the Speaker signed

LEGISLATIVE BILL NO. 7.

LEGISLATIVE BILL NO. 8.

Adjournment

At 11:13 a. m. Mr. Murphy moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Thursday.

The motion prevailed with 36 ayes, 0 nays, 7 not voting.

Hugo F. Srb,
Clerk of the Legislature.

THIRTEENTH DAY

Legislative Chamber,

Lincoln, Nebraska, January 19, 1939.

The Legislature met pursuant to adjournment at 10:00 a. m. Speaker Diers presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Twelfth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Herrick, two, Mr. Callan, two, asking repeal of the present automobile testing law; Mr. Hall, one, requesting reduction of bond for register of deeds in counties having less than 100,000 inhabitants; Mr. Lambert, one, favoring a teachers' retirement system; Mr. Hastings one, opposing repeal of the automobile testing law.

Communications

An invitation was extended to the members to attend the State-wide Meeting of the League of Nebraska Municipalities at the Lincoln Hotel, January 23, 1939, beginning at 9:00 a. m.

MOTION—To Accept Invitation

Mr. President: I move that the invitation of the League of Nebraska Municipalities be accepted and as many of the members as can, avail themselves of this opportunity to better acquaint themselves with some of the problems of our municipalities. (Signed) Miller.

The motion prevailed.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. No. 10, Wednesday, January 25, 1939, 2:00 p. m.

L. B. No. 30, Wednesday, January 25, 1939, 2:00 p. m.

Judiciary

L. B. No. 45, Monday, January 30, 1939, 2:00 p. m.

L. B. No. 46, Monday, January 30, 1939, 2:00 p. m.

L. B. No. 47, Monday, January 30, 1939, 2:00 p. m.

L. B. No. 48, Monday, January 30, 1939, 2:00 p. m.

L. B. No. 16, originally set for Monday, January 23, at 2:00 p. m. continued to Monday, February 13, 2:00 p. m.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for Approval:

LEGISLATIVE BILL NO. 7. January 18, 1939, 11:30 a. m.

LEGISLATIVE BILL NO. 8. January 18, 1939, 11:30 a. m.
(Signed) Craven, Chairman.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 81. By Herrick of Frontier, Neubauer of Harlan.

A bill for an Act relating to revenue; to provide for property tax relief by the levying, collecting and paying of taxes on incomes of individual taxpayers and by the levying, collecting and paying of taxes or excises with respect to the carrying on or doing business by corporations, joint stock associations or limited partnerships, based upon net income; to provide penalties for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 82. By Gross of Cherry.

A bill for an Act to amend Section 30-1707, Compiled Statutes of Nebraska, 1929, relating to decedent's estates; to provide for probate when deceased was at the time of his death a foreign resident of the state but owning real estate in a county of the State of Nebraska; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 83. By Gantz of Box Butte, Gross of Cherry, Rossiter of Thurston.

A bill for an Act relating to revenue; to provide tax foreclosure procedure by counties; to provide for a lien for counties upon real estate for taxes due thereon to the state, county or any subdivision thereof; to provide for a method of collecting delinquent taxes by sale of lands upon which taxes or assessments are due and delinquent; to provide for right of redemption and notice to occupants of said lands; to provide method of sale, method of redemption, method of confirming sale; to provide for form of petition and form of action to confirm sale; to provide that it shall be duty of all persons owning or having any interest in lands in each county to examine tax records and District Court files; to provide for jurisdiction of the District court, publication of notice of action to confirm sale, and rate of publication; to provide for use and disposal of real estate acquired by county by sale of land for taxes, methods of applying proceeds and income from said lands; to provide for exemption from taxation while owned by county and taxation of right of ownership of lessees; to provide that this Act shall be deemed to be cumulative and not exclusive; and to declare an emergency.

LEGISLATIVE BILL NO. 84. By Gantz of Box Butte, Gross of Cherry, Rossiter of Thurston .

A bill for an Act to amend Sec. 26-105, Comp. St. Supp., 1937, relating to county government and officers; to prescribe procedure for the sale of real estate acquired by the county for delinquent taxes, either by foreclosure proceedings, or conveyance from the owner, or otherwise howsoever; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 85. By Committee on Banking, Commerce & Insurance.

A bill for an Act relating to banks and banking; to repeal Sec. 8-1130, Comp. St. Supp., 1937, relating to liability of stockholders in banking corporations and to preserve causes of action now existing or accruing prior to the effective date of this Act.

LEGISLATIVE BILL NO. 86. By Diers of York, Murphy of Scotts Bluff, Hall of Adams, Gantz of Box Butte, Ernest A. Adams of Douglas, Tvrdik of Douglas, Norman of Douglas, Dunn of Lancaster.

A bill for an Act relating to unfair competition and local discrimination; to define and prohibit unfair sales; to provide remedies for violations thereof; to establish penalties therefor; to repeal Article 5, Chapter 59, Comp. St. Supp., 1937; and to declare an emergency.

LEGISLATIVE BILL NO. 87. By Callan of Gage.

A bill for an Act to repeal Sec. 68-284, Comp. St. Supp., 1937, relating to the payment of per capita tax for the uses and purposes of the State Assistance Fund; and to declare an emergency.

LEGISLATIVE BILL NO. 88. By Doyle of Greeley.

A bill for an Act relating to weights or measures; to fix standard weight or measure for a gallon of ice cream offered for sale in the State of Nebraska by manufacturers of ice cream; to fix standard weight or measure for a quart of ice cream offered for sale in the State of Nebraska to consumers; to provide tolerance; and to provide penalty for the violation thereof.

LEGISLATIVE BILL NO. 89. By Gutoski of Douglas, Norman of Douglas, Tvrdik of Douglas, Klaver of Douglas, Thomas of Douglas, Ernest A. Adams of Douglas, John Adams Jr. of Douglas.

A bill for an Act to amend Sections 26-904 and 26-906, Compiled Statutes of Nebraska, 1929; to amend Sec. 33-111, Comp. St. Supp., 1937; to amend Section 26-909, Compiled Statutes of Nebraska, 1929, relating to county government and officers; to prescribe the number of and the compensation of deputy county attorneys in counties having a population of more than two hundred thousand inhabitants; to prohibit county attorneys or deputy county attorneys from accepting any fee or reward from or on behalf of any prosecutor or other individual for service in any prosecution or business to which it shall be his official duty to attend; to require county attorneys or deputy county attorneys in counties having a population of more than two hundred thousand inhabitants to devote their full time to the legal work of such county; to prohibit county attorneys or deputy county attorneys in such counties to engage in the private practice of the law directly or indirectly; to define ethical conduct of county attorneys or deputy county attorneys in such counties with respect to reference of any legal matter or litigation, civil or criminal, to any other lawyer or with respect to recommending or suggesting to any person under arrest or imprisoned or at liberty on bail in any criminal prosecution, or to any person who has sustained damages to his property or person the employment of any particular attorney or attorneys to defend or prosecute such action and to provide penalties for the violation thereof; to fix the compensation and the manner of payment of county attorneys in such counties; to designate the counties in which the county attorney may employ a detective or detectives; to repeal said original sections; to repeal Section 26-911, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

LEGISLATIVE BILL NO. 90. By Thornton of Jefferson, Gutoski of Douglas, Dunn of Lancaster.

A bill for an Act to amend Sections 16-206 and 17-436, Compiled Statutes of Nebraska, 1929, relating to municipal corporations; to restrict the powers of cities of the first class having a population of more than five thousand inhabitants and less than twenty-five thousand inhabitants, cities of the second class having a population of more than one thousand inhabitants and less than five thousand inhabitants and villages to levy and collect an occupation tax upon wholesale dealers selling, offering to sell, delivering, or taking orders for future delivery commodities to retailers for purposes of resale in said cities and villages from truck, automobile or other vehicle, to the city or village of the principal place of business of said wholesaler; and to repeal said original section.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L. B. No.	Introducer	Committee Reference
65	Adams, E. A.	Banking, Com. & Ins.
66	Johnson	Education
67	Reavis, et al	Labor & Public Welfare
68	Gantz	Education
69	Sorrell	Banking, Com. & Ins.
70	Miller, et al	Labor & Pub. Welfare
71	Miller, et al	Labor & Pub. Welfare
72	Johnson	Pub. Health & Misc. Subs.
73	Dunn	Government
74	Westley, et al	Pub. Health & Misc. Subs.
75	Westley	Pub. Health & Misc. Subs.
76	Tvrdik	Public Works
77	Dunn	Judiciary
78	Gutoski	Banking, Com. & Ins.
79	Adams, E. A.	Banking, Com. & Ins.
80	Garber	Banking, Com. & Ins.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO 13. (With emergency clause)

A bill for an Act specifically to reappropriate the sum of not exceeding $440,000.00, now credited to the Gasoline Highway Fund or such sums of money as may hereafter be credited to the Gasoline Highway Fund up to and including June 30, 1939, for the uses and purposes of the State Assistance Fund, not heretofore appropriated by Section 49, Chapter 193, Session Laws of Nebraska, 1937; to provide that the amounts herein reappropriated shall, for the biennium ending June 30, 1939, cease to be credited by the State Treasurer to the State Assistance Fund, if and when the limit of $7,500,000.00 appropriated to said fund for said biennium, as provided in paragraph 1, Section 49, Chapter 193, Session Laws of Nebraska, 1937, shall have been expended for the uses and purposes of said State Assistance Fund; and to declare an emergency.

Whereupon the president stated; "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 43:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—To Adopt Salary Schedule

Mr. President: I move that the Legislature adopt the same salary schedule for the employees of the Legislature as was used in 1937. (Signed) Carsten.

The matter was laid over.

MOTION—Committee for Group Picture

Mr. President: I move that a committee of one be appointed to confer with Dr. Condra for taking a group picture of the legislators. (Signed) Mueller.

The motion prevailed.

The Chair appointed Mr. Mueller to so serve.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL NO 13. Correctly enrolled.

(Signed) Craven, Chairman

Speaker Signs.

While the Legislature was in session and capable of transacting business, the Speaker signed

LEGISLATIVE BILL NO 13.

Mr. Miller was excused for the session on Friday, January 20.

Adjournment

At 10:40 a. m. Mr. Herrick moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Friday.

The motion prevailed with 39 ayes, no nays, 4 not voting.

Hugo F. Srb,
Clerk of the Legislature.

FOURTEENTH DAY

Legislative Chamber,

Lincoln, Nebraska, January 20, 1939.

The Legislature met pursuant to adjournment at 10:00 a. m. Speaker Diers presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Miller and Mr. Mueller, who were excused.

The Journal for the Thirteenth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Johnson, one, opposing change in the present primary law; Mr. Thornton, one, favoring repeal of the Safety Patrol law; Mr. Hastings, one, opposing repeal of the Safety Patrol law, one, favoring a teachers' retirement system and a replacement tax law; Mr. Brady, one, requesting reduction of bond for register of deeds in counties having less than 100,000 inhabitants.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. No. 33, Thursday, January 26, 1939, 2:00 p. m.

Banking, Commerce & Insurance

L. B. No. 37, Thursday, February 2, 1939, 2:00 p. m.

Revenue

L. B. No. 17, Tuesday, January 31, 1939, 2:00 p. m.

L. B. No. 15, Thursday, February 2, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for Approval:

LEGISLATIVE BILL NO 13. January 19, 1939, 11:17 a. m.

(Signed) Craven, Chairman.

Judiciary

LEGISLATIVE BILL NO. 4. Indefinitely postponed.

(Signed) Thomas, Chairman.

MOTION—Not to Concur in Report

Mr. President: I move that we do not concur in the report of the Judiciary Committee and that L. B. No. 4 be placed on General File.

(Signed) Sorrell.

The motion was lost.

Rules

Mr. President: Your Committee on Rules report with the following recommendation: That paragraph 2 of Rule XXI be stricken and the following be substituted in lieu thereof:

2. All nominations made to the Legislature by the Governor requiring confirmation by the Legislature shall be referred to the Com-

mittee on Committees and the same procedure shall be followed as governs the handling of other matters before Standing Committees, unless the Legislature shall otherwise direct by unanimous vote.

(Signed) Peterson, Chairman.

The report was adopted with 39 ayes, 0 nays, 4 not voting.

SELECT COMMITTEE REPORTS

Election Contest

IN THE MATTER OF THE ELECTION CONTEST FOR THE SEAT IN THE FIFTH LEGISLATIVE DISTRICT } **Report of Special Committee.**

Now on this 19th day of January, 1939, this matter came up for hearing before the special Committee appointed by the Lieutenant Governor to determine whether sufficient grounds exist for the Legislature to hold an extended hearing on the election contest for the seat in the Fifth Legislative District of the State of Nebraska.

All members of the Committee were present.

The Contestant, Dr. Harry Foster, appeared in person and by his attorney, Ralph Moseley. The Contestee, John Adams, Jr., appeared in person only.

Statements and evidence were taken from the Contestant and the Contestee, and from Anton Tusa, Election Commissioner of Douglas County, Nebraska, and O. M. Olsen, Deputy Election Commissioner of Douglas County Nebraska, both of whom appeared at the request of the Committee.

The Committee being fully advised in the premises and from the evidence submitted and the statements made do find and recommend to the Legislature that there is not sufficient evidence to warrant the Legislature to hold an extended hearing on the contest for the seat in the Fifth Legislative District.

(Signed) Reavis, Chairman.

The report was adopted.

Approved by Governor

January 18, 1939

To the Legislature of Nebraska

Gentlemen:

I am directed by His Excellency, Acting Governor Wm. E. Johnson, to inform your Honorable Body that he has this date approved the following bills:

L. B. 7

L. B. 8

Respectfully submitted,

(Signed) Otho K. DeVilbiss
Secretary to the Governor

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 91. By Gutoski of Douglas, Rossiter of Thurston.

A bill for an Act to repeal Section 20-1315, Compiled Statutes of Nebraska, 1929, relating to judgment notwithstanding verdict.

LEGISLATIVE BILL NO. 92. By Herrick of Frontier.

A bill for an Act relating to public lands and buildings; to cede jurisdiction to the United States over the Fort MacPherson National Cemetery, in Lincoln County, Nebraska; and to declare an emergency.

LEGISLATIVE BILL NO. 93. By Thomas of Douglas.

A bill for an Act to amend Section 24-208, Compiled Statutes of Nebraska, 1929, relating to corporations; to prescribe the required contents of notices of incorporations; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 94. By Hall of Adams, Lambert of Platte, Westley of Butler, Brodecky of Colfax, Johnston of Hall.

A bill for an Act to amend Section 32-209, Comp. St. Supp., 1937, relating to elections; to provide that the penal sum of bonds tendered by registers of deeds in counties having a population of not less than sixteen thousand inhabitants and not more than one hundred thousand inhabitants shall be Two Thousand Dollars ($2,000.00) to enable said officers to qualify for their said offices; to repeal said original section; and to declare an emergency.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L. B. No.	Introducer	Committee Reference
81	Herrick, Neubauer	Revenue
82	Gross	Judiciary
83	Gantz, et al	Judiciary
84	Gantz, et al	Judiciary
85	Committee on Banking, Com. & Ins.	Banking, Com. & Ins.
86	Diers, et al	Banking, Com. & Ins.
87	Callan	Revenue
88	Doyle	Banking, Com. & Ins.
89	Gutoski, et al	Judiciary
90	Thornton, et al	Revenue

MOTION—To Add Name of Co-introducers

Mr. President: I move that my name be added as one of the introducers of L. B. No. 86. (Signed) Tvrdik, Norman, Dunn.

The motion prevailed.

Approved by Governor.

January 19, 1939

To the Legislature of Nebraska

Gentlemen:

I am directed by His Excellency, Acting Governor William E. Johnson, to inform your Honorable Body that he has this date approved the following bill:

L. B. 13

Respectfully submitted,

(Signed)
Otho K. DeVilbiss,
Secretary to the Governor

MOTION—To Adopt Salary Schedule

Mr. Carsten's motion, offered on January 19th, to adopt the 1937 salary schedule was considered and upon vote the motion prevailed.

Adjournment.

At 11:10 a. m. Mr. Gantz moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Monday.

The motion prevailed with 33 ayes, no nays, 10 not voting.

Hugo F. Srb
Clerk of the Legislature.

FIFTEENTH DAY

Legislative Chamber,
Lincoln, Nebraska, January 23, 1939.

The Legislature met pursuant to adjournment at 10:00 a. m., President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Fourteenth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Westley, one, favoring repeal of the automobile testing law; Mr. Rossiter, one, requesting amendments to the present delinquent tax law; Mr. Hall, one, favoring the itinerant merchants law; Mr. Ashmore, and Mr. Johnson, one, favoring the present Safety Patrol law; Mr. Miller, one, opposing withdrawal of gas tax money from county road use for the purpose of matching Federal funds; Mr. Miller, one, Mr. Sorrell, one, asking a readjustment of the county prefix numbers for automobile license plates; Mr. Johnson, one, favoring the gas tax plan of the Public Works Committee; Mr. Sorrell, one, favoring Ethyl alcohol-gasoline blend and one opposing the automobile testing law; Members of Lancaster County, one, asking that no interference be made with the State Serum Plant at Lincoln, and one asking that a bill be passed to clear the title to the salt spring lands located at Capitol Beach; Mr. Carsten, fifty-three, asking that a bill be passed to purchase the outstanding stock of the Platte river bridge near Louisville, with a view to making it a toll-free bridge.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. No. 31, Friday, January 27, 1939, 2:00 p. m.

L. B. No. 49, Friday, January 27, 1939, 2:00 p. m.

L. B. No. 59, Friday, January 27, 1939, 2:00 p. m.

Judiciary

L. B. No. 57, Wednesday, February 1, 1939, 2:00 p. m.

L. B. No. 77, Friday, February 3, 1939, 2:00 p. m.

L. B. No. 82, Monday, February 6, 1939, 2:00 p. m.

L. B. No. 83, Monday, February 6, 1939, 2:00 p. m.

L. B. No. 84, Monday, February 6, 1939, 2:00 p. m.

L. B. No. 89, Monday, February 6, 1939, 2:00 p. m.

Committee on Committees

Appointment of Dr. M. M. Sullivan, as a member of the State Game, Forestation and Parks Commission.

Friday, January 27, 1939, 1:00 p. m.

Room 2414 State House.

MOTION—To Appoint Committee to Confer with Governor

Mr. President: I move that the Chair appoint a committee of three to wait upon the Governor to ascertain his wishes relative to the delivery of his budget message to the Legislature. (Signed) Dunn.

The motion prevailed and the President appointed the following members to serve on said committee:

Hastings, Chairman. Dunn, Brady.

The committee retired and the Legislature was at ease for fifteen minutes.

COMMITTEE REPORT—To Confer with Governor

Mr. President: Your committee appointed to confer with the Governor with reference to receiving his budget message begs leave to report and recommend that the hour of 11:00 a. m. be fixed to receive the Governor's message. (Signed) Hastings, Chairman.

LEGISLATIVE RESOLUTION NO. 2

A Memorial Resolution

To the Second Unicameral Legislature of Nebraska (1939)

For the Erection of a General John J. Pershing Memorial

Presented by Editor F. A. Scherzinger of The Nelson Gazette, of Nelson, Nebraska.

Introduced by request by Senator Daniel Garber, 32nd District.

WHEREAS: When the United States entered the World War and General John J. Pershing of Lincoln, Nebraska, was placed in command of the American forces it was the first time in history that a United States Commander led American troops on European soil. Sailing in May, 1917, at the head of 180 men, he returned in 1918 with our forces numbering 2,000,000, who followed his leadership which was in wisdom of organization matchless, in daring marvelous, in execution firm. In War Council he became the outstanding General of the allied forces.

WHEREAS: As a people we are proud of the records of American history. Throughout the world we find statues erected in honor of our outstanding soldiers and statesmen. Nebraska now claims one of the Nation's most distinguished living citizens who is known and honored the world over. Since our Commonwealth was admitted into the Union and the Star of Nebraska was given a place in the blue field of Old Glory, never has there been a Nebraskan who deserves greater credit and honor than General John J. Pershing, as soldier and statesman.

WHEREAS: This recognition has been proposed by The Nelson Gazette, a weekly newspaper of Nuckolls county, and been publicly indorsed by many men and women of distinction throughout Nebraska;

Therefore Be It Resolved. That this Legislature honor this distinguished citizen, John J. Pershing, while living, by authorizing the erection of a suitable memorial on the Capitol Grounds in Lincoln, Nebraska.

Be It Further Resolved: That this Legislature name a Board of Commissioners, consisting of one from each Congressional District of the State of Nebraska, and one at large for the State, who shall be Chairman; also three Ex-officio Members. Said Board of Commissioners to name such other officers and committees as are deemed necessary by it, to carry on this Project to a successful completion.

It is Further Resolved: That no appropriation is asked or sought from this Legislature. The Spirit of this Statue is to live in the hearts of our million and a half citizens of Nebraska, and particularly our 500,000 school children. Their voluntary contributions shall become the nucleus of the funds to finance this project, and every one should be given opportunity to contribute. It is our purpose to instill into the minds of both old and young the fact that it is a privilege to participate and cooperate in this movement to honor this grand and noble citizen of our State and nation, and to show our appreciation for all who went to foreign shores to do battle for Right, Peaceful Living, and Democratic Government.

MOTION—To Appoint Committee to Escort the Governor to the Legislature

Mr. President: I move that the Chair appoint a committee of five to call upon the Governor and to escort him before the Legislature to deliver his budget message. (Signed) Ashmore.

The motion prevailed and the President appointed the following members to serve on said committee:

Brodecky, Chairman
Ashmore
Garber
Johnston
Herrick

The committee retired and subsequently returned with the Governor.

Letter of Transmittal

Honorable R. L. Cochran, Governor,
State of Nebraska,
Lincoln, Nebraska.

Dear Governor:

I am submitting herewith tabulations carrying your budget recommendations for the biennial period beginning July 1, 1939, and ending June 30, 1941. The tabulation also carries the appropriations made for the present (1937-9) biennial period, and the expenditures therefrom for the first fiscal year.

Respectfully submitted,

Wm. H. Smith,
State Tax Commissioner
and Budget Director.

BUDGET MESSAGE
OF
R. L. COCHRAN, GOVERNOR

Delivered to the Fifty-third Session of the Legislature of Nebraska, January 23, 1939.

To the Members of the Fifty-third Session of the
Legislature of Nebraska:

In accordance with the constitution, I am transmitting herewith my budget recommendations to your honorable body. My approach to the problem of preparing this budget is best explained, I believe, by quotation from my inaugural message from which I read as follows: "The assessed valuation of all physical property in the state was $3,167,489,300.00 in 1929. The assessed valuation in 1938 was $2,033,302,482.00. This means that in order to raise the same amount of state appropriations from property taxes today, it will require 1.55 mills as compared with one mill in 1929. In other words, it requires a 55 per cent greater levy to raise the same amount of money than it did in 1929. This means that we cannot expect to maintain the same standards of governmental service, both local and state, as were maintained a decade ago when we were possessed of greater wealth and a correspondingly greater income . . . My ideas are in harmony with the report of the Legislative Council which recommends that sufficient reductions be made in appropriations for the next biennium to absorb any delinquencies in the general fund during this biennium to the end that the state levy for the next two years may not exceed the levy for this two-year period."

I need not tell you that in preparing a budget in harmony with this sentiment expressed by both legislative and executive agencies it was necessary to depart somewhat from the usual methods of budget making based largely on demonstrated needs. It was found necessary to apply arbitrary reduction after the budget had been prepared based on minimum needs of the various expending agencies included in the budget.

The following items explain the procedure followed, after consultation with the Chairman of your Appropriations Committee and the Chairman of your Legislative Council:

Total appropriation for the biennium 1937-39 from property tax sources exclusive of emergency appropriations	$12,373,837.99
First budget arrived at following hearings with expending agencies	11,932,163.20*
Reduction 1939 under 1937	$ 441,674.79

It was estimated that this reduction was not sufficient to absorb the estimated deficiency in the general fund (due to delinquencies in tax payments) during the present biennium, **allow for the same degree of delinquency during the next biennium** and still prevent the levy for the next two years from exceeding that for 1938.

It was estimated that in order to carry out the recommendations of your Legislative Council and your Governor, a further flat reduction of six per cent was necessary (except in a comparatively few cases where statutory requirements made it impossible). By applying this percentage, with the exceptions as noted, to the first budget total arrived at, $11,932,163.20, it was reduced in the amount of $655,081.03 to $11,277,082.17.

Wherever possible I have further reduced departmental budgets by an amount equivalent to the anticipated unexpended balance in these appropriations on July 1, 1939. These anticipated balances were arrived at by determining the rate of expenditures for the first eighteen months of the present biennium, and assuming that expenditures for the remainder of this biennium would not exceed this rate.

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* NOTE: Does not include appropriations for legislative council, legislative reference bureau or secretary of the senate, as explained elsewhere in this message.

The final total of property tax fund appropriations recommended herein includes certain new items not reflected by the first total at which I arrived following the budget hearings.

The following is a comparison of property tax fund appropriations for the 1937-39 biennium and recommended property tax fund appropriations for the 1939-41 biennium:

Total tax fund appropriations, 1937-39	$12,373,837.99
Total budget recommendations for tax fund appropriations, 1939-41	$11,158,170.82
Total recommended reduction in property tax fund appropriations for 1939-41 biennium under 1937-39 appropriations	$ 1,215,667.17
Total federal, cash and other funds appropriated 1937-39	$42,839,983.81
Total federal, cash and other funds recommended in this budget (including revenue from county insane tax levy, estimated $940,526.26)	$40,473,079.68
Recommended reduction in cash and federal fund appropriations for 1939-41 biennium under 1937-39 appropriations	$ 2,366,904.13

Following is a comparison of the grand total of appropriations from all sources for the 1937-39 biennium with the grand total of recommended appropriations from all sources for the 1939-41 biennium:

Grand Total 1937-39	$55,213,821.80
Grand Total 1939-41	$51,631,250.50
Grand Total Reduction	$ 3,582,571.30

It should be pointed out here that the grand total of appropriations for the current biennium as shown above does not include emergency appropriations.

Wherever practical in the interest of economy as well as in the interest of equality between departments and bureaus, we expect to apply the same policy, relative to reductions, to departments and bureaus maintained by cash funds as in the case of those agencies maintained with property tax funds. The computations made here and the results referred to are based on the assumption that present assessed property valuations will be maintained. At this juncture I again call attention to the necessity for legislation making more effective the intangible tax law and as a result affording relief to other classes of property; also to the necessity for greater equalization by improving the administration of personal property assessments.

Charitable and Penal Institutions

Explanatory of the lump sum item of $250,000.00 recommended for repairs, remodeling, equipment, furnishings, and replacements, it is estimated that $140,000.00 will be required to furnish and equip new buildings, now completed or under construction, at Beatrice, Kearney, Lincoln, Hastings, and Norfolk. These very much needed buildings were made possible first, because of a very wise provision enacted by the 1937 legislature whereby the Board of Control was given a lump sum appropriation without specific earmarking; second, able administration of this fund by the Board of Control; third, because of the joint efforts of the board and the Governor in obtaining a 45 per cent public works administration allotment at a time when PWA funds were almost depleted, and when we were advised that Nebraska's share of PWA funds had been allotted. This made possible a million dollar program accomplished with little more than a half million dollars of state appropriations.

It is obvious that in order to use these buildings an appropriation of $140,000.00 for furnishing them in the next biennium is imperative.

I am including an item of $50,000.00 for the purpose of remodeling buildings and installing fire escapes at the two Milford Institutions in order to prepare them for use by senile mental patients. Here again is presented an opportunity to accommodate the large number of mental patients who are awaiting admittance to state hospitals. This appropriation, together with consolidation at Grand Island of the two Soldiers' and Sailors' Homes will be the means of providing better care and treatment for mental patients now held in counties, and at less cost to the taxpayers.

I call your attention to the fact that after consolidation of the Milford and Grand Island Soldiers' Homes at Grand Island that institution will have room for over 200 more members than the present combined population of the two institutions at the present time. In other words the consolidation of the Milford and the Grand Island institutions can be effected and will fill the Grand Island institution to only slightly more than 50 per cent of its capacity

In the case of the other Milford Institution, the Woman's Industrial Home, the board of control and the state planning board recommend, and I concur, that this institution be discontinued as a state maternity home, and be operated in conjunction with the Soldiers' and Sailors' Home at Milford as a hospital for senile cases from the state insane hospitals. I make this recommendation because of the fact the population of the Woman's Industrial Home is so small that the per capita cost of operation is much higher than the cost of the same service rendered in private hospitals. It is agreed that the care of such cases can and should be handled by the counties in private hospitals at much less cost to the taxpayers.

Nebraska's state penitentiary has been singularly free of outbreaks. This has been due to the alertness of the officials rather than to physical characteristics of the plant. I am advised on good authority that similar institutions in many states are protected with fences surrounding the entrances and all approaches. Indeed we have such provision at both the state reformatory for men at Lincoln and the Women's Reformatory at York. Under present conditions at the Penitentiary there is equal if not greater danger from without than from within. It is estimated that it will cost $45,000.00 to relocate the highway in front of the Penitentiary, to build and illuminate a fence, and to construct a small building at the entrance to serve as a waiting room. This is urgently recommended as a security measure. (Plans for this proposed improvement can be seen at the office of the Board of Control).

An additional $15,000.00 is recommended for work inside the Penitentiary including removal of transformers to the outside and the installation of steam tunnels. Removal of the transformers is likewise a security measure.

I urge that the item of $250,000.00 recommended for the foregoing purposes be appropriated to the Board of Control in a lump sum for the reason that should PWA funds or other federal allotments be made available at a time when the legislature is not in session, the Board may take advantage of such funds and carry on much needed construction and in this way obtain the greatest returns possible during the next biennium as was done during the present biennium.

Education

As I have stated many times, I believe that one of the most important obligations of society is education of our youth. We should have as good educational institutions as we can afford; as good elementary and high school facilities as the respective school districts of the state can afford and as good institutions for higher education as the state can afford. Two years ago, a State Planning Board was created by the legislature. The Board's report is before you and contains its recommendations for a ten-year building program for the state's higher educational institutions and charitable and penal institutions. May I quote from the report submitted by the Normal Board sub-committee of the State Planning Board:

"Whereas, your Normal Board Committee, in its study of the building requirements of the colleges under the control of the Board of Education for State Normal Schools, has found that the problem of laying out a recommended 10-year building program is complicated by the question of future educational programs and proper future functions of these colleges that it would materially effect their building needs; and

"Whereas, Studies already made indicate overlapping of activities of various educational institutions of the state and, in the opinion of the Normal Board Committee, call for a thorough study of the present educational needs and educational program of the State in order that a definite future program may be established which will serve as the factual basis upon which the future requirements of the various educational institutions may be anticipated.

"Therefore, The Normal Board Committee recommends that the Board of Regents of the University of Nebraska, the Board of Education for the state normal schools, and State Superintendent of Public Instruction, be invited to join with the Planning Board in a petition to the United States Office of Education for a survey of the Educational Program now being conducted in Nebraska and for recommendations for a sound future unified program in order that the Planning Board may thus be furnished with the basic data which this committee considers essential to the adoption of a sound building program."

This recommendation was adopted. At a meeting held since then the state university, represented by the Chancellor and the President of the Board of Regents; the state normal schools, represented by the Presidents of all four normal schools, and the Chairman of the normal school board who was represented by the comptroller of the normal board; the director of vocational education; the State Superintendent of Public Instruction and a representative of the U. S. Department of Education all have pledged cooperation in carrying out such recommended educational studies.

In connection with education, I have not recommended any appropriation for adult education under the State Superintendent. I have recommended a small increase in the appropriation for the State Library Commission with the thought that the most efficient way in which to give educational advantages to adults is by making books available to those who desire them.

Relative to the operation of the normal schools, I wish to quote further from the report of the State Planning Board as follows:

"The Planning Board has found that the revenue from the rentals collected from the students living in the dormitories at the State Teachers Colleges is applied to the amortization of the bonds sold to finance the dormitories and is not applied to the maintenance and operation of the dormitories. This means that in following this policy, when the construction of a new dormitory is authorized, state funds are, in effect, obligated to operate and maintain these dormitories. The Planning Board also found that all expenses incurred in operating and maintaining the dormitories at the University of Nebraska are met from the rentals from the dormitories. The Planning Board believes that the policy of the University of Nebraska in this matter is the correct one and that the requirements of existing statutes are met in so doing.

"A heating expert, employed by the Planning Board to study the needs of the Normal Schools, has recommended that boilers are needed at several Normal Schools. A study of his report clearly shows that the need for additional boiler capacity is required because of the heavy heating load requirements of the dormitories and in certain cases, the need for a new boiler is definitely shown to be the result of the increased heating requirements resulting from the construction of the dormitories under the current PWA programs.

"The Planning Board therefore recommends that no appropriation be made for new boilers and that the cost of any additional heating requirements caused by the construction of dormitories be met from the revenue of the dormitories. . . . It is recommended that a certain sum be designated for maintenance of buildings in the general fund appropriation for each school and that accounting be made of such expenditures on each building, on each campus. This maintenance cost item should include all costs of maintaining a building in good condition other than the cost of light, heat, janitors' wages and major replacements. Specific amounts are recommended for each college under the discussion of each college.

"This recommendation should not be interpreted as necessarily recommending an increase in the general fund approprition for these schools. Certain portions of past general fund appropriations have no doubt been intended for repairs and maintenance and the Planning Board recommends that certain portions of the general appropriation be specifically designated for maintenance."

It appears that the policy followed by the normal schools with reference to dormitories is outside of the spirit if not the letter of the law. I most heartily concur in the recommendations of the Planning Board. I also concur in the recommendations of the Planning

Board where they state: "The Board recommends that a uniform accounting system be set up by each agency to show in the necessary detail the cost of operation and maintenance of buildings and operating equipment. Such a system would permit each institution to benefit from the experience of others and would provide subsequent legislatures with definite information as to actual cost of building maintenance and operation."

With reference to higher education generally, I renew my recommendations relative to submission of a constitutional amendment for the purpose of consolidating all of the state's institutions of higher education under one board of education.

Board of Educational Lands and Funds

The people of the state by their votes eliminated the office of Commissioner of Public Lands and Buildings. Your attention is called to the fact that the budget shows a saving of the salaries of the commissioner and a deputy, totaling $15,280.00.

State Treasurer

I call your attention to the provision for a semi-annual audit of the office of the State Treasurer. This item is considered of equal importance to the provision for the State Treasurer's bond.

Planning Board

I have discussed some of the activities of the State Planning Board under the subject of education. I recommend that the tuberculosis survey be continued in co-operation with the state Department of Health, both in the interest of humanity and in the interest of economy. Experience thus far had with this survey shows that it will save the state money. It costs the state approximately $500.00 per year per patient to care for and to treat each tuberculous patient at the Kearney Institution. Early diagnosis and discovery of tuberculosis will reduce the number to be hospitalized. Such a program likewise will reduce the spread of this disease. The benefits of a tuberculosis survey will be reflected in smaller appropriations for the State Tuberculosis Hospital in the future. I sincerely believe it is an expenditure of money to save money. I wish our economic conditions warranted making even greater progress in this important work.

Law Enforcement

I am recommending a slight increase in the appropriation for the State Sheriff's office for the purpose of providing a bulletin to be sent to all law enforcement agencies, which should result in greater efficiency on the part of all such agencies.

While I am not recommending a change in our present system of law enforcement, which is carried on mainly by local officials, I do recommend that, in the interest of a better understanding, you give a hearing to any of those who believe that in an emergency the Governor should be all powerful in directing local law enforcing agencies.

Legislative Reference Bureau and Other Legislative Agencies

While I am reluctant to suggest anything affecting agencies related to the operation of the legislature, I do find it necessary in connection with my budget recommendations to call attention to the fact that there are three separate and distinct continuing legislative agencies provided by law, the Secretary of the Senate, the Legislative Council, and the Legislative Reference Bureau. It would appear that there should be a consolidation of these agencies.

Social Security

Your attention is called to the fact that the revenue from three-fourths of a cent of gasoline tax, all beer and liquor taxes, estate taxes, and the per capita tax as now collected (approximately 60% of the head tax now being collected) will produce revenue in the amount of three million seven hundred and fifty thousand dollars ($3,750,000.00) of state funds per year. This would be equivalent to the state appropriations for the present biennium. I feel that we should devise a way to make head tax collections more effective and complete than at present. By doing so the anticipated revenue for social security might be increased by several hundred thousand dollars. In this way we should be able not only to maintain present assistance payments, but also to have a surplus with which to meet contingencies, such as increases in the number of those on the assistance rolls or to meet other conditions which might arise during a two-year period.

Highways

The status of highway improvements when work now under contract is completed will be as follows:

Paving	2,925	miles
Gravel	5,450	"
Earth	358	"
Total	8,733	miles

Each year has seen the highway system expanded and new routes taken over for maintenance by the state. It is interesting and satisfying that despite this greatly increased mileage maintained, the total cost of highway maintenance has been kept at approximately the same level for the past five years. This has been the result of economies effected, new methods developed, together with the judicious use of higher type surfaces where traffic conditions and other factors make the cost of maintenance excessive. There is no other state activity where expansion and increased building have not resulted in increased maintenance cost.

Both as to construction and maintenance of highways Nebraska continues to get more for its tax dollar than any other state. This was confirmed by a visiting highway engineer from a foreign country sent to the United States by his government and referred to Nebraska by the U. S. Bureau of Public Roads to study our methods. I quote from comments by R. A. Farquharson, Staff Writer with the Toronto Financial Post, who had previously visited Nebraska: "Motoring through other states enroute to Nebraska, where I went to find out how that state does it, and see if there were lessons we could learn in Canada, I was told many times: 'Sure they have no debt, but have they anything else?'

"If there is a catch I failed to find it. Statistics do not show it. The truth is that Nebraska is not a wealthy state and Nebraskans know it. It does not undertake services it cannot afford. Having no debt, it can control its expenses. When depression comes or drought drys up the taxpayers' sources of income, state expenses are slashed.

"But what about the roads? One of the first persons I met in the strikingly beautiful capitol building at Lincoln was Senor Podesta of the Argentine Highways Department, who has settled down for the summer to make a complete study of the Nebraska road building system.

"They get more roads for less money than any other state in the two Americas, he told me. Nebraska has 8,000 miles of surfaced roads in a one hundred and eleven million dollar state highway system. Its black top roads are built at a cost of $4,000.00 a mile on a gravel base.

"Senor Podesta was only one of a number of foreign visitors. Engineers have come from South Africa, Australia, Brazil, Cuba to study the economy of Nebraska's road building. The roads are not meant for heavy traffic, such as between Toronto and Niagara Falls.

Traffic of three thousand cars a day would be the Nebraska peak. And economies in maintenance have been developed to keep pace with new construction.

"Having no debt, paying for the roads out of income as they are built, has kept Nebraska free from expensive splurges of road building."

As a state concerned with economy in government, we are desirous of matching federal highway allotments to Nebraska with a minimum of state taxation. With this thought in mind, I recommend that an amount be set aside before allocation of the gasoline tax is made to the counties for the purpose of matching federal funds for local feeder roads. Under the present authorization of federal feeder road funds for the next biennium, Nebraska's share of these funds will be approximately $308,000.00 per year. While it will not require a full one-quarter cent of gasoline tax to match these funds, I recommend that as much as is necessary be set aside, having in mind that it is necessary not only to match them, but also to provide for right of way and other incidental costs in which the federal government will not participate. Under such a program we will have the maximum capacity to match federal funds for highways and social security without any increase in state funds.

It is a sound policy to match the federal feeder road funds with a portion of the counties' share of the gasoline tax because the improvements are generally made on roads now under county control and county maintenance. It probably will take no more than thirteen per cent of the counties' share to accomplish this.

Speaking of a highway program generally, any curtailment in the program at this time will work to the disadvantage of those sections of the state where the highways have not been brought to a final standard of construction. These sections have contributed to the building of highways in other portions of the state. To deny funds now to those sections in which highway improvements have not been made, creates a gross inequality in taxation. In preparing the budget for the Department of Roads and Irrigation, I assumed that the present rate of gasoline tax will be continued and that three-fourths of a cent of gasoline tax will be used for social security as recommended in my inaugural message.

Conclusion

In conclusion there are a number of important appropriation items which I have not discussed in this message due to the fact that I consider the figures self-explanatory. I assure the legislature and your finance committee that I desire to work with you in providing for our institutions and agencies in the most intelligent manner possible, consistent with the ability of our people to pay.

Respectfully submitted,

(Signed) R. L. Cochran, Governor.

With his message the Governor submitted tabulations carrying his budget recommendations and two official budget bills, one to provide for the payment of the salaries of the officers of the Nebraska State Government, and one making appropriations for the state government, for the biennium ending June 30, 1941.

SUPPLEMENTARY MESSAGE FROM GOVERNOR

January 23rd, 1939.

To the Members of the Fifty-third Session
of the Legislature of Nebraska:

I am submitting herewith a report showing the moneys received by myself, as Governor, during the period beginning January 7th, 1936, to and including December 31st, 1938.

This statement shows the money received for warehouse licenses, extradition warrants, federal aid for soldiers' home, and miscellaneous items, which were deposited with the State Treasurer.

There is included in this total one item for $1.00 and one item for $7.50, total $8.50, received in December, 1938, but not deposited with the State Treasurer until January 7th, 1939.

Respectfully submitted,

(Signed) R. L. Cochran, Governor.

January 23rd, 1939.

Report of Money Received by the Governor During the Term Beginning January 7th, 1936, to and Including December 31st, 1938.

Source	Amount
Fees for warehouse licenses	$ 77.00
Fees for extraditions	125.00
Federal aid for Soldiers' Home	27,178.55
Miscellaneous items	191.67
T. H. Maenner check for $186.67 for refund on a deficiency claim filed with legislature.	
Paul P. Chaney check for $5.00 in payment for desk, appraisement made by Mr. Tilley and Mr. Younkin for the purpose of fixing sale price.	
Total	$27,572.22

Respectfully submitted,

(Signed) R. L. Cochran, Governor.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 95. By Hastings of Polk.

A bill for an Act relating to public safety; to provide for safeguarding of persons and of buildings and their contents from electrical hazards arising from the use of electricity for light, heat, power, radio, signaling and for other purposes and promoting the welfare of the public; establishing minimum standards for the installation of electrical wiring and equipment; requiring that all such installations of electric wiring and equipment shall be made in conformity with the provisions of this Act; empowering the State Fire Marshal to administer and enforce this Act and prescribing his duties, rights and authority thereunder; authorizing the State Fire Marshal to employ Deputy Electrical Inspectors and fix their compensation, and prescribing their duties, rights and authority; authorizing the State Fire Marshal to provide for the inspection of electrical wiring and equipment, establish fees therefor, and prescribe necessary administrative rules for enforcement of this Act not inconsistent with the provisions thereof; exempting from the provisions of this Act certain types of electrical installations and also all installations located in municipalities of the State of Nebraska which enforce by ordinance and inspection, electrical standards for the installation of electrical wiring and equipment equivalent to those required by this Act; and providing penalties for the violation thereof.

LEGISLATIVE BILL NO. 96. By Hastings of Polk.

A bill for an Act relating to public safety; to provide for installation of electric wiring and equipment for the protection of life and property; to provide penalties for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 97. By Gross of Cherry.

A bill for an Act to amend Section 30-601, Compiled Statutes of Nebraska, 1929, relating to decedents' estates; to require the county judge to serve notice on the county treasurer of the county in which an estate is being probated or administered of the date of hearing on claims for the purpose of accelerating the payment of taxes on personalty, if any, owed by the decedent at the time of his death; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 98. By Gross of Cherry.

A bill for an Act to amend Section 26-1305, Compiled Statutes of Nebraska, 1929, relating to county government and officers; to enjoin upon county treasurers of the several counties the duty to notify all executors or administrators of taxes on property of their decedents remaining unpaid; to prescribe procedure to collect said taxes; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 99. By Gross of Cherry.

A bill for an Act to amend Section 38-505, Compiled Statutes of Nebraska, 1929, relating to guardian and ward; to require the county judge to serve annual notice on the county treasurer of the county in which guardianship proceedings are pending for the purpose of accelerating the payment of taxes on personalties, if any, owed by guardians for their wards; to prescribe the respective duties of the county treasurer and the county assessor upon receipt of said notice in the matter of collecting taxes due and owing, if any, from said guardian; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 100. By Carsten of Cass, Brodecky of Colfax, Sorrell of Otoe, E. A. Adams of Douglas.

A bill for an Act to appropriate the sum of Sixty Three Thousand Dollars out of the state gasoline tax fund to pay the balance due on the purchase price of the Louisville Platte River Bridge located on State Highway No. 50, where it crosses the Platte River between Cass and Sarpy Counties.

LEGISLATIVE BILL NO. 101. By Gantz of Box Butte.

A bill for an Act to amend Sections 79-208 and 79-209, Compiled Statutes of Nebraska, 1929, relating to schools; to provide for the selection of sites for school buildings; and to repeal said original sections.

LEGISLATIVE BILL NO. 102. By Gantz of Box Butte. (By request.)

A bill for an Act to amend Sec. 79-1902, Comp. St. Supp., 1937, relating to schools; to fix the transportation allowance for pupils whose parents reside more than three miles from the school house such pupils are authorized to attend; and to repeal said original section.

LEGISLATIVE BILL NO. 103. By Johnson of Dodge.

A bill for an Act to amend Sections 38-110 and 38-505, Compiled Statutes of Nebraska, 1929, relating to guardian and ward; to provide for an annual account by guardians of their wards' property; to provide for removal of guardian by county judge upon failure to render annual account; to provide penalties for the violation thereof; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 104. By Rossiter of Thurston, Hall of Adams, Murphy of Scotts Bluff, Diers of York, Lambert of Platte, Peterson of Madison, Miller of Kimball, Van Diest of Loup, Tvrdik of Douglas, Schultz of Antelope, Westley of Butler, Dunn of Lancaster, Gantz of Box Butte, Reed of Lancaster, Ernest A. Adams of Douglas, Howard of McPherson, Carsten of Cass.

A bill for an Act relating to health, safety and welfare; to amend Sections 71-201, 71-209, 71-302, 71-312, 71-501; 71-701, 71-2904, 71-2905, 71-2906, 71-2907, 71-2908, 71-2909, 71-2910, 71-2911, 71-2912, 71-2914, 71-2916 and 81-903, C. S. Supp., 1937; to amend Sections 81-904, 81-905, 81-909 and 81-910, Compiled Statutes of Nebraska, 1929; to regulate the practice of pharmacy and the manufacture, sale and distribution of medicines, drugs, chemicals and poisons, including denatured alcohol, methyl alcohol (methanol) and canned heat; to designate a short title therefor; to define certain terms used therein; to provide procedure to be followed in the issuance of required original and renewal licenses to applicants to practice pharmacy; to establish and provide for the appointment and organization of a State Board of Pharmacy functioning within the Department of Health, State of Nebraska; to define qualifications, terms, compensation per diem, powers and duties of said board and its members when acting as a board of examiners conducting examinations of applicants desiring to become licensed practitioners of the profession of pharmacy together with duties and functions of the deputy administrator, ex officio secretary of said board; governing reciprocal relations between practitioners of pharmacy in this state and those of other states; to provide for the revocation of licenses to practice the profession of pharmacy, the grounds therefor and the procedure incident thereto; to fix a schedule of fees for initial, reciprocal and annual renewal licenses, for certified copies thereof, and for furnishing new licenses for those lost or destroyed; to provide for the adoption and promulgation by the board of rules and regulations not inconsistent with this Act to aid in the administration thereof, said rules and regulations being incorporated herein by reference and to have the force and effect of law; to define and classify poisons and to prescribe safeguards for their keeping, labeling and distributing to the general public; to prohibit the adulteration or misbranding of drugs, medicines, chemicals and poisons; to provide rules and regulations concerning the registration, inspection and examination of drug stores and pharmacies; to establish the State Board of Pharmacy Fund, to provide for its management and to protect its estimated accruals from fees earned and its unexpended balance from appropriation or reappropriation either by the State Board of Equalization or by the Legislature save and except for the uses or purposes of this Act; to amend Section 77-1007, C. S. Supp., 1937, eliminating entirely the receipts and fees, estimated or unappropriated, credited or to be credited to the State Board of Pharmacy fund in making the levy of state taxes in any taxing period; to amend Sections 77-1804 and 77-1806, Compiled Statutes of Nebraska, 1929, relating to qualifications of applicants for license and registration to practice pharmacy; to provide penalties for the violation thereof; to provide construction and saving clauses; to repeal said original sections; to repeal Sections 71-1801, 71-1802, 71-1805, 71-1807 and 71-1808, Compiled Statutes of Nebraska, 1929; to repeal Section 71-1803, C. S. Supp., 1937; and to provide that this Act shall be in full force and take effect from and after January 1, 1940.

LEGISLATIVE BILL NO. 105. By Reavis of Richardson, Diers of York.

A bill for an Act relating to crimes and punishment; to provide that sellers of grain shall furnish to buyers signed, written statements of amounts and names of holders of liens or mortgages; to prohibit false, material representations in such statements; to provide penalties for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 106. By Committee on Judiciary.

A bill for an Act to repeal Section 59-804, Compiled Statutes of Nebraska, 1929, relating to annual statements and undertakings required of corporations and other voluntary associations in connection with laws pertaining to unlawful restraint of trade; and to declare an emergency.

LEGISLATIVE BILL NO. 107. By Brady of Holt.

A bill for an Act to amend Sections 12-107, 79-404 and 79-408, Compiled Statutes of Nebraska, 1929, relating to official bonds; to provide that all school district treasurers shall furnish bonds with corporate surety; to provide that premiums on such bonds shall be paid out of the general funds of such districts; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 108. By Howard of McPherson.

A bill for an Act relating to labor; to provide that ninety per cent of all laborers on public works of the state or any of its governmental sub-divisions shall be citizens of the State of Nebraska; to provide that cities having a population of forty thousand or more shall furnish a list of contractors holding contracts with said cities to the Department of Labor; to provide a penalty for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 109. By Tvrdik of Douglas.

A bill for an Act to amend Sec. 60-319, Comp. St. Supp., 1937, relating to motor vehicles; to provide for the registration thereof by manufacturers and dealers; to regulate the use of duplicate number plates; to prescribe the fees therefor; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 110. By Van Diest of Loup.

A bill for an Act to amend Section 28-1212, Compiled Statutes of Nebraska, 1929, relating to crimes and punishments; to provide that the making, drawing, uttering or delivering of insufficient fund checks, drafts or orders for the payment of money upon any bank or other depository shall constitute a crime; to repeal said original section; to repeal Section 28-1213, Compiled Statutes of Nebraska, 1929, relating to presumptions of intent to defraud; and to declare an emergency.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L. B. No.	Introducer	Committee Reference
91	Gutoski, Rossiter	Judiciary
92	Herrick	Pub. Health & Misc. Subs.
93	Thomas	Judiciary
94	Hall, et al	Government

Mr. Frank E. Reader, a former member of the Legislature, and Mr. F. A. Scherzinger were introduced to the members.

Mr. J. S. Steele, a former member of the Legislature and now Vice-president of the State Board of County Fair Managers, addressed the assembly briefly and extended an invitation to the members and their wives to attend a dinner at the Cornhusker Hotel, January 24th at 6:15 p. m. as guests of that organization.

Mr. H. J. Kaunf, a member of the Illinois Assembly, also addressed the Legislature briefly.

Adjournment

At 11:50 a. m. Mr. Thomas moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Tuesday.

The motion prevailed with 37 ayes, no nays, 6 not voting.

Hugo F. Srb
Clerk of the Legislature.

SIXTEENTH DAY

Legislative Chamber,

Lincoln, Nebraska, January 24, 1939.

The Legislature met pursuant to adjournment at 10:00 a. m., President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Fifteenth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Schultz, one, favoring L. B. 18 and L. B. 19 to appropriate money to the widow of Lawrence I. Smoyer and William Wathen, respectively, who were fatally injured in the performance of their duties as peace officers of the State of Nebraska; Mr. Carsten, one, favoring $30.00 a month for Old Age Assistance; Mr. Hastings, one, favoring the General Welfare Act; Mr. Sorrell, one, favoring the continuation of the two separate boards to administer the affairs of the institutions of higher education in Nebraska; Mr. Hastings, two, favoring the present automobile testing law; Mr. Hastings, Mr. Carlson, Mr. Van Diest, Mr. Westley and Mr. Miller, one each, opposing the present automobile testing law; Lieutenant Governor Johnson, one, favoring a study and revision of the present pardon and parole system.

NOTICE OF COMMITTEE HEARINGS

Labor and Public Welfare

L. B. No. 44, Monday, January 30, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL NO. 9. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 9:

In the printed bill, insert the following in line 12 (original bill, Page 2, line 5), after the word "claim" and before the word "filed":

"approved by a majority of the judges and duly"

LEGISLATIVE BILL NO. 22. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 22:

In the printed bill, insert the following in line 9, (original bill, page 2, line 2), after the word "order" and before the ",", the following:

"and the taxable court costs in the district court"

(Signed) Thomas, Chairman.

RESOLUTIONS

MOTION—To Amend Pershing Resolution

Mr. President: I move to strike the four words "on the Capitol Grounds" from this resolution, in the fourth paragraph. (Signed) Garber.

The motion prevailed.

MOTION—To Adopt Pershing Resolution

Mr. President: I move the adoption of this resolution as amended. (Signed) Garber.

The motion prevailed.

MOTION—To Appoint Committee

Mr. President: I move that the President appoint a Board of Commissioners as provided by the Pershing Memorial Resolution just now adopted. (Signed) Garber.

The motion prevailed.

LEGISLATIVE RESOLUTION NO. 3

Memorializing the Committee on Ways and Means of The House of Representatives of the United States
to
Carefully Consider (and Promptly Report Out of the Said Committee) "The General Welfare Act of 1939" H. R. 2, 76th Congress, 1st Session.

Introduced by Jay Hastings, A. M. Johnston, Daniel Garber, Sam Klaver, F. A. Mueller, John Adams, Jr., George I. Craven, Wm. J. Norman, James E. Reed, Lester L. Dunn, Charles R. Herrick.

Preamble

WHEREAS, the general welfare of the United States must be provided for and promoted by supplying to the American people generally a more liberal distribution and increase of purchasing power by some means to be devised and practiced by the country as a whole, and

WHEREAS, the plan devised and put in operation should be national in scope to accomplish and attain the end sought, and

WHEREAS, a considerable number of the citizens and taxpayers of the State of Nebraska have an abiding conviction that the increase in the purchasing power of the mass of the people making up the United States of America can be realized under a national economic policy enacted into Federal statutes whereby citizens of the United States upon attaining the age of sixty years should retire from gainful employment, thereby stabilizing gainful employment for other citizens, stimulating agricultural and industrial production and general business, and alleviating the hazards and insecurity of old age and unemployment, through a system of retirement annuities to be spent each month as received for commodities and services furnished and sold by citizens of the United States, and

WHEREAS, H. R. 2, 76th Congress of the United States, now referred to the Ways and Means Committee of the House of Representatives of said Congress embodies the plan hereinbefore set forth in this preamble and is worthy of consideration, merits discussion and debate by both the lower and upper bodies of the Congress, NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That this Legislature respectfully petitions, memorializes and urges the Committee on Ways and Means, House of Representatives of the United States, carefully to consider in all its phases (and then immediately to report out of said committee) H. R. 2, 76th Congress, 1st Session, commonly known as "The General Welfare Act of 1939" and that said bill be placed before the House of Representatives of the United States for action by the members thereof without further delay.

2. That the Clerk of this Legislature is hereby ordered and directed forthwith to forward a copy of this resolution, properly authenticated and suitably engrossed, to the chairman, Committee on Ways and Means, House of Representatives, Washington, D. C.; to the President of the United States, to the Vice President of the United States as presiding officer of the United States Senate; to the Speaker of the House of Representatives of the United States; and to each of the United States Senators and Congressmen representing the State of Nebraska in the Congress, to the end that representatives in the government and the Congress of the United States may be advised of the sincere desire on the part of this Legislature that said H. R. 2 be given full and complete consideration and a fair hearing and discussion upon its merits at the present session of the Congress.

Under the rules the resolution was laid over one day.

LEGISLATIVE RESOLUTION NO. 4

Authorizing Committee on Appropriations Acting in Conjunction with the Committee on Legislative Administration to Reimburse the Nebraska Legislative Reference Bureau for Services Rendered and to be Rendered the Legislature During the Remainder of the 1939 Legislative Session.

Introduced by Committee on Appropriations, Committee on Legislative Administration.

Preamble

WHEREAS, the appropriation of the Nebraska Legislative Reference Bureau for salaries, wages and maintenance for the present biennium was $12,500.00 (see Laws of Nebraska, 1937, page 770), which amount was $4,000.00 less than the amounts appropriated during bienniums ending June 30, 1931, June 30, 1933, June 30, 1935 and June 30, 1937, respectively, and

WHEREAS, Bureau funds available for service to this session of the Legislature will be exhausted on January 27, 1939 and must be replenished, and

WHEREAS, the Bureau has adequate facilities to perform, if directed by this Legislature, provided that sufficient funds are available to retain up to and including the twentieth legislative day—when introduction of bills, except by special request of the Governor or special order of the Legislature, ends—its general counsel, one full time legal researcher, six stenographers skilled and experienced in transcribing legislative bills ready for introduction by the members of this Legislature, and one skilled and experienced proofreader and copyholder, and after said twentieth legislative day its general counsel, one assistant to its general counsel and one trained person who can perform the combined duties of stenographer, copyholder and proofreader for the remainder of the session, which should adjourn not later than April 1, 1939, for preparing amendments, synopsis and resume of bills and such other work in connection with bill review, writing committee reports precedent to or in connection with bill review and the drafting of bills later to be introduced at this session, as aforesaid, and as it may be requested to do to cooperate with enrollment and review counsel already arranged for, and

WHEREAS, the Bureau conservatively estimates that it will require but one-half of the amount allotted to it during previous sessions, in view of the employment of enrollment and review counsel for bill review, to meet the demands of this Legislature with accuracy, efficiency and dispatch, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That it is the sense of this Legislature that the Nebraska Legislative Reference Bureau continue to perform the regular services which the law enjoins upon it to perform (See Article 4, Chapter 50, Compiled Statutes of Nebraska, 1929) together with additional services for this Legislature as set forth in the preamble hereof.

2. That the Committee on Appropriations, acting in conjunction with the Committee on Legislative Administration, upon proper vouchers, being presented to them, signed by the Director of the Nebraska Legislative Reference Bureau, be authorized and directed to pay over to said Bureau forthwith the sum of two thousand dollars out of moneys appropriated for this session in Section 1, Legislative Bill No. 8, Fifty-third Session, Nebraska State Legislature, 1939, for incidental expenses incurred by said Legislature.

By unanimous consent the resolution was read the second time.

STANDING COMMITTEE REPORT

Appropriations

Resolution, Legislative Reference Bureau. Recommendation that $2,000.00 be allowed the Nebraska Legislative Reference Bureau out of L. B. No. 8 for the purposes set forth in said Resolution. (Signed) Brady, Chairman.

MOTION—To Adopt Report

Mr. President: I move the adoption of this report. (Signed) Brady.

The Legislature was at ease for ten minutes.

The President called the Legislature to order.

Mr. Brady's motion was read and the report was adopted.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 111. By Ashmore of Hayes.

A bill for an Act to amend Secs. 39-1193 and 39-11,101, Comp. St. Supp., 1937, relating to rules of the road for motor vehicles; to prohibit the operation of any motor vehicle upon any public highway outside the corporate limits of any city or village in excess of sixty miles per hour; and to repeal said original sections.

LEGISLATIVE BILL NO. 112. By Dunn of Lancaster.

A bill for an Act to amend Secs. 77-1451, 77-1458 and 77-1467, Comp. St. Supp., 1937, relating to revenue; to define itinerant merchants; to prescribe the exemption granted to itinerant merchants using vehicles for the transportation of grain, fruits, vegetables, hay, live stock, or other agricultural products, produced by them on a farm operated by them; to prescribe the exemption granted to the transportation of products incident to a business conducted by said itinerant merchant; to prescribe the exemption granted to itinerant merchants using vehicles for the purpose of hauling products for the use of the owner of such vehicle, or for the use of others where no charge is made for use of such vehicle, or those using vehicles in exchange of work; to prescribe the occupation tax per vehicle used by itinerant merchants in their said business; to provide for the enforcement of the provisions of this Act by injunction against any person or persons violating or threatening to violate the same; to provide that the Department of Agriculture and Inspection, among other things, is authorized to receive statements of claimed exemptions thereunder; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 113. By Dunn of Lancaster.

A bill for an Act to amend Sections 26-1205 and 84-801, Compiled Statutes of Nebraska, 1929; to amend Sec. 12-129, Comp. St. Supp., 1937, relating to official bonds; to provide that in counties having a population of more than sixty thousand inhabitants and less than one hundred and forty thousand inhabitants, the premium on official bonds of all deputies in the office of register of deeds shall be paid out of the general fund of said counties; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 114. By Dunn of Lancaster.

A bill for an Act to amend Section 84-801, Compiled Statutes of Nebraska, 1929; and to amend Sec. 12-124, Comp. St. Supp., 1937, relating to official bonds; to provide that, in counties having a population of more than sixty thousand inhabitants and less than one hundred forty thousand inhabitants, all cashiers of county treasurers therein shall furnish such bond; to provide that the premiums thereon shall be paid out of the general fund of such counties; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 115. By Carlson of Phelps.

A bill for an Act to amend Section 25-1,100, Compiled Statutes of Nebraska, 1929, relating to counties; to provide that in all counties where no regular office is maintained in the county court house for the county surveyor of that county, the county clerk shall be custodian of the official record of surveys and all other permanent records pertaining to the office of county surveyor as provided in Section 26-1611, Compiled Statutes of Nebraska, 1929, as amended by Section 1, Legislative Bill No. ......, Fifty-third Session, Nebraska State Legislature, 1939; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 116. By Carlson of Phelps.

A bill for an Act to amend Section 26-1611, Compiled Statutes of Nebraska, 1929, relating to county government and officers; to provide that the official records, other plats and field notes of the county surveyor's office shall be deemed and considered public records, at all times available, within reasonable office or business hours, for free access to the state surveyor or deputy state surveyor of Nebraska or any county surveyor of Nebraska; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 117. By Carlson of Phelps.

A bill for an Act to amend Section 84-406, Compiled Statutes of Nebraska, 1929, relating to the Board of Educational Lands and Funds; to provide that said board may, when in their judgment there is need of expediting the execution of surveys applied or petitioned for, appoint one or more competent experienced deputy land surveyors to make such surveys as may be assigned to them; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 118. By Herrick of Frontier.

A bill for an Act to amend Secs. 77-2201 and 77-2218, Comp. St. Supp., 1937, relating to revenue; to provide the rate and duty of tax which shall be levied on inheritances; to provide that money so collected shall be credited to the perpetual funds for common school purposes; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 119. By Thornton of Jefferson, Diers of York, Howard of McPherson, Klaver of Douglas.

A bill for an Act relating to schools; requiring the school board or board of education of every school district lying wholly or partially within the corporate limits of any incorporated city or village to publish the proceedings of their meetings; prescribing the rate to be paid for such publications; and to declare an emergency.

LEGISLATIVE BILL NO. 120. By Craven of Lancaster.

A bill for an Act relating to unfair competition and local discrimination; to make certain unfair discriminatory practices unlawful; to define the duties of the attorney general with respect thereto; to declare certain contracts illegal and forbid recovery thereon; to provide penalties for the violation thereof; to repeal Secs. 59-510, 59-511, 59-512, 59-513, 59-514, 59-515, 59-516, 59-517, 59-518, 59-519, 59-520, 59-521 and 59-522, Comp. St. Supp., 1937; and to declare an emergency.

LEGISLATIVE BILL NO. 121. By Craven of Lancaster.

A bill for an Act to amend Sec. 60-302, Comp. St. Supp., 1937, relating to motor vehicles; to provide for the payment of registration fees on a motor vehicle or trailer owned by a non-resident of this state if such motor vehicle or trailer shall remain in said state for a period of more than ninety days in any calendar year; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 122. By Mueller of Buffalo.

A bill for an Act to amend Secs. 81-101, 81-102, 81-103 and 81-107(e), Comp. St. Supp., 1937, relating to state administrative departments; to abolish the Department of Roads and Irrigation; to abolish the office of state engineer for the Department of Roads and Irrigation; to create a State Highway Commission composed of the Governor, Lieutenant Governor and State Treasurer who shall exercise the powers, discharge the duties and succeed to the rights and responsibilities of the said Department of Roads and Irrigation and of the said State Engineer, without additional compensation; to prescribe the powers, rights, duties and responsibilities of said commission; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 123. By Ernest A. Adams of Douglas.

A bill for an Act relating to motor vehicles; to require the licensing of motor vehicle dealers, special dealers and salesmen; to provide for reciprocity with other states; to provide for manner of reselling new motor vehicles acquired at bankruptcy, judicial or forced sale; to limit the right to accept registration of new motor vehicles; to authorize expenditures for educational purposes related to Act; to provide place for holding meetings and manner of organization; to amend Secs. 60-901, 60-902, 60-904, 60-906, 60-907, 60-908, 60-910, 60-912, 60-914, 60-915, 60-916 and 60-917, Comp. St. Supp., 1937; to repeal said original sections; to prescribe penalties for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 124. By Tvrdik of Douglas, Norman of Douglas, Gutoski of Douglas, John Adams, Jr., of Douglas, Klaver of Douglas.

A bill for an Act to amend Sec. 77-1451, Comp. St. Supp., 1937, relating to revenue; to define itinerant merchants and the business conducted by them; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 125. By Klaver of Douglas, John Adams, Jr., of Douglas.

A bill for an Act to amend Secs. 79-2721, 79-2722 (b) and 79-2726, Comp. St. Supp., 1937, relating to school districts in metropolitan cities; to provide procedure for boards of education in said districts in the preparation of annual estimates and reporting the same to the city council of such cities for levy and collection of school taxes therein; to prescribe the limit on the aggregate annual school tax levy in said districts; to provide for annual levies to pay interest on bonds of said districts; to provide procedure for the establishment of a sinking fund to retire said bonds when due; to provide procedure for boards of education in said districts to issue bonds and to provide the maximum interest rate and the time for payment of said bonds; to repeal said original sections; to repeal Sec. 79-2722 (a), Comp. St. Supp., 1937; and to declare an emergency.

LEGISLATIVE BILL NO. 126. By John Adams, Jr. of Douglas.

A bill for an Act to amend Sections 79-2706, 79-2713 and 79-2715, Compiled Statutes of Nebraska, 1929, relating to schools; to provide that all minutes, records and accounts of boards of education in metropolitan cities are hereby declared to be public records and available to all persons at reasonable hours; and to provide that all meetings of said boards shall be open to the public; to provide penalty for the violation thereof; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 127. By Peterson of Madison, Dunn of Lancaster.

A bill for an Act relating to statutes and laws; to provide for the compilation, authentication, publication and sale of a 1939 cumulative supplement to the Compiled Statutes of Nebraska, 1929; to direct the Clerk of the Supreme Court as State Librarian under the supervision of the Supreme Court to arrange or contract for the same without cost to the state; to fix a maximum retail price for such supplement; and to declare an emergency.

LEGISLATIVE BILL NO. 128. By Gutoski of Douglas.

A bill for an Act to amend Secs. 53-346 and 53-348, Comp. St. Supp., 1937, relating to liquors; to provide for the granting of Type C licenses outside the corporate limits of cities and villages in counties containing a city having a population of more than one hundred fifty thousand inhabitants; to limit the number of licenses granted or in effect at any one time in such counties to twenty five; to provide that all applications for said licenses shall be first approved in writing by the county board of such counties; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 129. By Norman of Douglas, Gutoski of Douglas, Thomas of Douglas, Ernest A. Adams of Douglas, Tvrdik of Douglas, John Adams, Jr., of Douglas.

A bill for an Act relating to health enabling the people in any county having a population of more than 200,000 people to create a health district co-extensive with such county; to declare that the regulation of public health as well as the remedial treatment and care of the indigent within any such district are matters of general state concern; to provide the procedure for the creation of such districts; to define and limit their powers; to provide for them a governing body; to empower them to raise the necessary funds to administer their functions by the levy and collection of taxes upon the property within such districts; to transfer the title, control and management of all real estate and personal property thertofore owned and used by any governmental subdivision within said district for the regulation of public health as well as the remedial treatment and care of the indigent to the health district created pursuant to this Act; to suspend any existing grant of governmental power to other governmental subdivision to perform functions granted to such health districts during the legal existence of any such health districts; and to provide the manner in which they may be dissolved.

LEGISLATIVE BILL NO. 130. By Norman of Douglas, Gutoski of Douglas, Thomas of Douglas, Ernest A. Adams of Douglas, Tvrdik of Douglas, John Adams, Jr., of Douglas.

A bill for an Act to amend Sec. 14-514, Comp. St. Supp., 1937, relating to the fiscal management of cities of the metropolitan class, having a population of more than one hundred fifty thousand inhabitants; to provide for the reduction of the maximum levy in any such city which is situated in a county containing a duly constituted and functioning health district; and to repeal said original section.

LEGISLATIVE BILL NO. 131. By Norman of Douglas, Gutoski of Douglas, Thomas of Douglas, Ernest A. Adams of Douglas, Tvrdik of Douglas, John Adams, Jr., of Douglas.

A bill for an Act to amend Sec. 26-108, Comp. St. Supp., 1937, relating to county government and officers; to provide the maximum annual tax levy in any county in which a health district shall have been duly constituted and shall have not been dissolved; and to repeal said original section.

LEGISLATIVE BILL NO. 132. By Gutoski of Douglas, Tvrdik of Douglas.

A bill for an Act relating to county government and officers; to provide for inventory and statement of county personal property in the possession or custody of each officer in the several counties of the state of Nebraska; to provide the duties of the Auditor of Public Accounts in connection with said inventory and statement; to define the duties of county boards and other county officers in connection therewith; to prescribe penalties for the violation thereof; to amend Section

84-304, Compiled Statutes of Nebraska, 1929; to amend Sec. 26-105, Comp. St. Supp., 1937; to amend Section 26-901, Compiled Statutes of Nebraska, 1929; to amend Secs. 26-1002 and 26-108, Comp. St. Supp., 1937; to amend Sections 27-511, 39-1302, 79-1502, 26-1101, 26-1206, 26-1301, 26-1401 and 26-1601, Compiled Statutes of Nebraska, 1929; to amend Sec. 77-1609, Comp. St. Supp., 1937; to amend Sections 32-1801 and 83-708, Compiled Statutes of Nebraska, 1929; to amend Sec. 20-1625, Comp. St. Supp., 1937; to amend Section 20-2215, Compiled Statutes of Nebraska, 1929; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 133. By Lambert of Platte.

A bill for an Act to amend Section 66-601 relating to display of gasoline price signs at service stations; to provide that dealers and all other persons selling motor fuel shall state the rate of the tax separately from the price of motor fuel on all price display signs and to repeal said original section.

LEGISLATIVE BILL NO. 134. By Reavis of Richardson, Dunn of Lancaster, Peterson of Madison, Gross of Cherry, Schultz of Antelope, Murphy of Scotts Bluff, Brodecky of Colfax, Ernest Adams of Douglas, Doyle of Greeley, Brady of Holt.

A bill for an Act to amend Sections 55-112, 55-117, 55-124, 55-125, 55-126, 55-127, 55-128, 55-130, 55-143, 55-153, 55-167, 55-171, 55-172, 55-175, 55-176 and 55-185, Compiled Statutes of Nebraska, 1929, relating to the organization, maintenance and government of the Nebraska national guard; to create the office of commanding general of the Nebraska national guard; to define the authority and duties of the commanding general; to define the authority and duties of the adjutant general; to repeal said original sections; to repeal Section 55-178, Compiled Statutes of Nebraska, 1929; to repeal all other acts or parts of acts in conflict therewith; and to declare an emergency.

LEGISLATIVE BILL NO. 135. By Howard of McPherson, Ashmore of Hayes.

A bill for an Act relating to elections; to provide for the nomination and election of each county sheriff, county treasurer, county clerk, county surveyor, register of deeds, county attorney, clerk of the district court, county commissioner, county supervisor, county assessor, road overseer in counties not under township organization, district supervisor in a district comprising more than one township in counties under township organization, precinct assessor in counties not under township organization, and precinct justice of the peace by non-political ballot in a non-partisan manner and without any indication on the ballot that said candidates are affiliated with or endorsed by any political party or organization; to provide that each town clerk, town treasurer, town justice of the peace, justice of the peace in cities or villages having a population of one thousand or more, road overseer. district supervisor in a district comprising only one township, or precinct assessor, in counties under township organization, shall be nominated by caucus or convention at the time of the annual town meeting and such nominations certified by the town clerk to the county clerk who shall place the names of the nominees upon the non-political ballot without any indication on the ballot that said candidates are affiliated with or endorsed by any political party or organization; to amend Sections 32-514, 32-1106, 32-1123, and 32-1202, Compiled Statutes of Nebraska, 1929; to amend Secs. 32-1133, 32-1201 and 32-1203, Comp. St. Supp., 1937, all relating to elections; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 136. By Doyle of Greeley (By Request).

A bill for an Act to amend Sections 19-301, 19-302, 19-303, 19-305, 19-307, 19-310, 19-311 and 19-312, Compiled Statutes of Nebraska, 1929, relating to the examination and the licensing of plumbers; to provide for issuing of permits to do business in the state of Nebraska as a master plumber; and to repeal said original sections.

LEGISLATIVE BILL NO. 137. By Carsten of Cass, Doyle of Greeley.

A bill for an Act to amend Sections 60-303, 60-308, 60-310, 60-311, 60-312, 60-313, 60-318, 60-325, 77-1410, 77-1418, 77-1602, 77-1605, 77-1613, 77-1614 and 77-1616, Compiled Statutes of Nebraska, 1929; to amend Secs. 33-129, 60-302, 60-306, 60-328, 60-330, 77-1609, 77-1801, 77-1804 and 77-1805, Comp. St. Supp., 1937, relating to county government and officers; to provide salaries to be paid to county assessors; to provide that they shall make up the assessment books and tax lists; to provide that they shall accept applications for registrations of, and shall issue registration certificates for motor vehicles; to provide that they shall work full time and shall not engage in any other business during their respective terms of office; to provide that their offices shall be separate from those of county clerks; to repeal said original sections; to repeal Section 77-1604, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L. B. No.	Introducer	Committee Reference
95	Hastings	Public Works
96	Hastings	Public Works
97	Gross	Judiciary
98	Gross	Judiciary
99	Gross	Judiciary
100	Carsten, et al	Appropriations
101	Gantz	Education
102	Gantz	Education
103	Johnson	Judiciary
104	Rossiter, et al	Pub. Health & Misc. Subs.
105	Reavis, Diers	Judiciary
106	Comm. on Judiciary	Banking, Com. & Ins.
107	Brady	Education
108	Howard	Labor & Public Welfare
109	Tvrdik	Public Works
110	Van Diest	Judiciary

GENERAL FILE

LEGISLATIVE BILL NO. 9. Read and considered.

Standing Committee amendments found in this day's Journal were adopted.

Referred to Committee on Enrollment and Review for review.

MOTION—Statutes and Session Laws

Mr. President: I move that the Committee on Enrollment and Review be furnished a Compiled Statutes for 1929, a 1937 Cumulative Supplement and Session Laws for 1929, 1931, 1933, 1935 and 1937. (Signed) Craven, Chairman.

The motion prevailed.

MOTION—To Amend Rules

Mr. President: I move that the rules be amended to provide for a Receiving Committee consisting of eleven members to be appointed by the Lieutenant Governor to receive all request bills and that a preliminary hearing be held on these request bills before they are introduced. (Signed) Ernest Adams.

The matter was referred to the Committee on Rules.

Invitation

An invitation was extended to the Members of the Legislature to attend a Public Affairs Luncheon at the Lincoln Chamber of Commerce, Thursday, January 26th, at 12:15. Subject: The Industrial Safety Campaign and the Relation of Nebraska to the National Highway Safety Campaign.

Assemblyman S. L. Yorty of Los Angeles, California was introduced and addressed the Legislature briefly.

Adjournment

At 12:04 p. m. Mr. Reed moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Wednesday.

The motion prevailed with 38 ayes, 1 nay, 4 not voting.

Hugo F. Srb
Clerk of the Legislature.

SEVENTEENTH DAY

Legislative Chamber,

Lincoln, Nebraska, January 25, 1939.

The Legislature met at 10:11 a. m., President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

Mr. Carsten was excused from the morning session.

The Journal for the Sixteenth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Peterson, one favoring the Safety Patrol law and one favoring a repeal of the Anti-picketing law; Mr. Hall, four, opposing the present automobile testing law; Mr. Gantz, one, opposing said testing law; Douglas County members, one, opposing any change in the present primary election law.

MESSAGE FROM GOVERNOR

Bond of State Treasurer

January 23rd, 1939.

Mr. Frank J. Brady, Chairman
Appropriations Committee
State Legislature
State House.

Dear Senator Brady:

This is to advise that Dr. T. W. Bass, the State Treasurer, has given a bond to the State of Nebraska, as required by law, in the amount of $1,000,000.00, with premium due in the amount of $9500 for the two year period covered by the bond.

Mr. F. D. Burgess, Deputy State Treasurer, has given bond to the State of Nebraska in the amount of $50,000 with premium due in the sum of $237.50 for the two year period.

Treasurer Bass advises this office that premium is due in the amount of $511.00 for burglary and robbery insurance in the amount of $105,000 for the two year period; and that premium is due in the amount of $65.85 on messenger robbery insurance in the amount of $5,000.00.

Very sincerely yours,

(Signed) R. L. Cochran, Governor.

The letter was referred to the Committee on Appropriations.

Invitation Omaha Chamber of Commerce

Through a letter from the Omaha Chamber of Commerce addressed to Lieutenant Governor, William E. Johnson, an invitation was extended to the members of the Legislature and the elective officials of the state of Nebraska to spend the week-end of February 11 and 12 in Omaha as their guests.

The Clerk of the Legislature was directed to write a letter accepting the invitation.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. No. 63, Tuesday, January 31, 1939, 2:00 p. m.

Revenue

L. B. No. 87, Tuesday, January 31, 1939, 2:00 p. m.

L. B. No. 52, Thursday, February 2, 1939 2:00 p m

STANDING COMMITTEE REPORT

Revenue

LEGISLATIVE BILL NO. 5. Placed on General File.

LEGISLATIVE BILL NO. 6. Indefinitely postponed.

(Signed) Ashmore, Chairman.

RESOLUTIONS

President Johnson announced that he had made the following appointments for the Board of Commissioners, as provided in the Pershing Memorial resolution:

F. A. Scherzinger, Nelson, Chairman.

First District, Frank C. Zehrung, Lincoln.

Second District, Henry M. Eaton, Omaha.

Third District, Gene Huse, Norfolk.

Fourth District, Charles H. Sloan, Geneva.

Fifth District, Keith Neville, North Platte.

Ex Officio Members:

The Governor of the State of Nebraska.

The Nebraska State Commander of the American Legion.

The Superintendent of the Nebraska State Historical Society.

MOTION—To Adopt Resolution on H. R. 2

Mr. President: I move the adoption of the resolution memorializing the Committee on Ways and Means to report out of the said Committee The General Welfare Act of 1939. (Signed) Hastings.

Substitute Motion

Mr. President: I move as a substitute motion that we do not concur in the resolution. (Signed) Brady.

A record vote was demanded.

Voting in the affirmative, 15:

Ashmore
Brady
Brodecky
Carlson
Diers
Gross
Hall
Howard
Mekota
Mischke
Murphy
Peterson
Reavis
Schultz
Thomas

Voting in the negative, 25:

Adams, E. A.
Adams, J. Jr.
Callan
Craven
Doyle
Dunn
Gantz
Garber
Gutoski
Hastings
Herrick
Johnson
Johnston
Klaver
Lambert
Miller
Mueller
Neubauer
Norman
Reed
Rossiter
Sorrell
Thornton
Tvrdik
Westley

Not voting, 3:

Carsten
Van Diest
Von Seggern

The substitute motion was lost.

A record vote was demanded on the original motion.

Voting in the affirmative, 25:

Adams, E. A.
Adams, J. Jr.
Callan
Craven
Doyle
Dunn
Gantz
Garber
Gutoski
Hastings
Herrick
Johnson
Johnston
Klaver
Lambert
Miller
Mueller
Neubauer
Norman
Reed
Rossiter
Sorrell
Thornton
Tvrdik
Westley

Voting in the negative, 16:

Ashmore
Brady
Brodecky
Carlson
Carsten
Diers
Gross
Hall
Howard
Mekota
Mischke
Murphy
Peterson
Reavis
Schultz
Thomas

Not voting, 2:

Van Diest
Von Seggern

The original motion prevailed and the resolution was adopted.

LEGISLATIVE RESOLUTION NO. 5

By Rossiter of Thurston.

A RESOLUTION GRANTING Reuben Bordy individually and as Trustee for Cora Woods, Isaac C. Crum, Eugene Fontenelle, John O. Ydun, Emily E. G. Webster, Gus White, Carrie Edwards, George Woodhull, Edison Grant and Frances Clay Grant, Morgan Stabler, Warren Davis and Minnie Grant, Carrie Edwards Grant, Margaret Davis, Maggie Davis, Lee Davis, Phillip Porter, Rosa H. Porter, Louis P. Webster, Lucy W. Grant, Ruth Webster, David Mitchell, John O. Lyons, Don O. Lyons, John A. Grant, Maggie W. Grant, Mabel M. Hamilton, Louise F. Saunsori, Omaha Tribal Council, Nellie Wells Walker, James Cox, John Wells, Maggie Wells Dale, Victor Wells, Emma Blackbird Wolf, Frank Guitar, Minnie Stabler, Eva Walker Webster, Grace Parker Cox, Mitchell Dick, Rosalie Saunsori McCauley, Herbert Wells, Silas White, Jennie Wolfe McCauley, Ruth Walker Hastings, Clayton Wells, Dora Webster Wells, Grace G. Hollawell, Ben Burens, Simon Bordy; Heirs of John Riseup (Jesse Stacy, Edith Logan Redborn, Fannie E. Bird, John Whitebeaver, Lucy Logan, Charles Whitebeaver, George Snake); Heirs of Henry Rice Hill (George Rice Hill, Lucy Rice Harrison, Alice Rice Hill, Mary R. Bigthunder, Charles Rice Hill), permission and authority to file suit against the State of Nebraska and the Department of Roads and Irrigation in the District Courts of either Thurston, Burt, or Douglas Counties, Nebraska for the purpose of having a fair and impartial adjudication of their claim in equity for the cancellation, setting aside and holding for naught of the waivers of damages or deeds, as the case may be, executed by the above persons to their property and the determination of the damages to the aforenamed persons' lands by reason of the location and construction of the State and Federal highway, known as U. S. Highway No. 73 East from Decatur, Nebraska to Winnebago, Nebraska, through the Omaha and Winnebago Indian Reservations; to provide for the prosecution of said suit; to admit and create liability and permit recovery of damages against the State of Nebraska in the premises, if any there be; to waive the defenses of laches and the statute of limitations on behalf of said state; and to declare an emergency.

Preamble

WHEREAS, it appears that differences exist between Reuben Bordy individually, as owner of the SE¼ NW¼ of Sec. 23, T. 25, R. 9, Thurston County; and as Trustee for Cora Woods, as owner of the NW¼ of SW¼, Sec. 30, T. 25, R. 10, in Thurston County; Isaac C.

Crum, as owner of the NE¼ of NE¼ of Sec. 25, T. 25, R. 9, in Thurston County; Eugene Fontenelle, as owner of Lots 4 & 6 & NW¼ SE¼ of Sec. 26, T. 24, R. 10, Burt County; John O. Ydun, as owner of the SE¼ of Sec. 22, T. 24, R. 10, Burt County; Emily E. G. Webster, Gus White and Carrie Edwards, as owners of the N½ SW¼ Sec. 22, T. 24, R. 10, Thurston County; George Woodhull, as owner of the NW¼ NW¼ Sec. 22, T. 24, R. 10, in Burt County and the NE¼ of NE¼ of Sec. 22, T. 24, R. 10, in Burt County; Edison Grant and Frances Clay Grant, as owners of the SW¼ of NE¼ Sec. 16, T. 24, R. 10, in Thurston County; Morgan Stabler, as owner of the NW¼ of Sec. 16, T. 24, R. 10; Warren Davis, Minnie Grant, and Carrie Edwards Grant, Margaret Davis, Maggie Davis and Lee Davis, as owners of the NE¼ SE¼ of Sec. 16, T. 24, R. 10, in Thurston County, Phillip Porter, Rosa H. Porter, as owners of the NE¼ of Sec. 8, T. 24, R. 10, in Thurston County; Louise P. Webster, Lucy W. Grant and Ruth Webster, as owners of the S½ SW¼ of Sec. 5, T. 24, R. 10, in Thurston County; David Mitchell, as owner of the SW¼ NW¼ of Sec. 5, T. 24, R. 10, in Thurston County; John O. Lyons, as owner of the E½ of SE¼ of Sec. 31, T. 25, R. 10, in Thurston County; Don O. Lyons as owner of the NW¼ SE¼ of Sec. 31, T. 25, R. 10, in Thurston County; John A. Grant and Maggie W. Grant as owners of the S½ NE¼ of Sec. 31, T. 25, R. 10, in Thurston County; Mabel M. .Hamilton, as owner of the NW¼ NE¼ of Sec. 31, T. 25, R. 10, in Thurston County; Louise F. Saunsori, as owner of the NE¼ of Sec. 25, T. 25, R. 9, in Thurston County; Omaha Tribal Council, as owner of the SE¼ of SW¼ of Sec. 24, T. 25, R. 9, in Thurston County; Nellie Wells Walker, James Cox, John Wells, Maggie Wells Dale, Victor Wells, as owners of the NE¼ SE¼ of Sec. 23, T. 25, R. 9, in Thurston County; Emma Blackbird Wolf, as owner of the NW¼ of SW¼ of Sec. 23, T. 25, R. 9, in Thurston County; Frank Guitar and Minnie Stabler, as owners of the SW¼ NE¼ of Sec. 23, T. 24, R. 9, in Thurston County; Eva Walker Webster, as owner of the NE¼ SW¼ of Sec. 14, T. 25, R. 9, in Thurston County; Grace Parker Cox, as owner of the NE¼ SW¼ of Sec. 14, T. 25, R. 9, in Thurston County; Mitchell Dick, Rosalie Saunsori McCauley and Herbert Wells, as owners of the NW¼ SW¼ of Sec. 14, T. 25, R. 9, in Thurston County; Silas White as owner of the SW¼ NW¼ of Sec. 14, T. 25, R. 9, in Thurston County; Jennie Wolf McCauley, as owner of the E½ NE¼ of Sec. 10, T. 25, R. 9, in Thurston County; Ruth Walker Hastings, as owner of the S½ NE¼ of Sec. 15, T. 25, R. 9, in Thurston County; Clayton Wells and Dora Webster Wells, as owners of the N½ of NE¼ of Section 10, T. 25, R. 9, in Thurston County; Ben Burens, as owner of the NW¼ of SW¼ of Sec. 9, T. 24, R. 10, in Thurston County; Simon Bordy, as owner of the SW¼ SE¼ of Sec. 24, T. 25, R. 9, in Thurston County; Heirs of John Riseup (Jesse Stacy, Edith Logan Redborn, Fannie E. Bird, John Whitebeaver, Lucy Logan, Charles Whitebeaver, George Snake, Belle Snake Rice, Richard Logan, Homer Snake, Maude Brown Eagle), as owners of the SE¼ SE¼ of Sec. 19, T. 26, R. 9, and the SW¼ of SW¼ of Sec. 20, T. 26, R. 9, in Thurston County; Henry Rice Hill allotment (George Rice Hill, Lucy Rice Harrison, Alice Rice Hill, Mary R. Bigthunder, Charles Rice Hill—Heirs), as owners of the SW¼ of NE½ of Sec. 13, T. 26, R. 8, in Thurston County, all these lands lying east of the 6th P. M., all these persons being residents and citizens of Nebraska and it is claimed and alleged that the State of Nebraska is indebted to them by reason of their having signed waivers of damage or deeds, as the case may be, without just compensation for their respective properties taken for public use or damaged by the construction of the State and Federal highway, known as U. S. No. 73 east from Decatur, Nebraska to Winnebago, Nebraska for the reason that said waivers of damage, or deeds, were obtained by the alleged false and fraudulent misrepresentations and warranties of the Department of Roads and Irrigation of the State of Nebraska, and its agents and representatives; that said alleged and fraudulent misrepresentation and warranties were made as to the location and construction of said highway and said waivers, or deeds, were obtained without just compensation on the fraudulent misrepresentations that no one would be paid any damages or consideration for the damage to their property, while in truth and in fact damages and considerations were paid in several instances.

WHEREAS, Reuben Bordy, individually, and as Trustee for the aforesaid persons is seeking the cancellation, rescission, setting aside and holding for naught the waivers of damages, or deeds as the case may be, executed by the above persons to their lands as legally described herein, and

WHEREAS, said persons above named have suffered and sustained damage to their land for which they have not been justly compensated, by reason of the establishment and location of the said highway, and

WHEREAS, it appears that such difference cannot be compromised or settled by the parties involved, and said parties are desirous of having a fair and impartial adjudication of their claims for damages in equity before a court of competent jurisdiction in the State of Nebraska, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That the said Reuben Bordy, individually and as Trustee for Cora Woods, Isaac C. Crum, Eugene Fontenelle, John O. Ydun, Emily E. G. Webster, Gus White, Carrie Edwards, George Woodhull, Edison

Grant, Frances Clay Grant, Morgan Stabler, Warren Davis, Minnie Grant, Carrie Edwards Grant, Margaret Davis, Maggie Davis, Lee Davis, Phillip Porter, Rosa H. Porter, Louise P. Webster, Lucy W. Grant, Ruth Webster, David Mitchell, John O. Lyons, Don O. Lyons, John A. Grant, Maggie W. Grant, Mabel M. Hamilton, Louise F. Saunsori, Omaha Tribal Council, Nellie Wells Walker, James Cox, John Wells, Maggie Wells Dale, Victor Wells, Emma Blackbird Wolf, Frank Guitar, Minnie Stabler, Eva Walker Webster, Grace Parker Cox, Mitchell Dick, Rosalie Saunsori McCauley, Herbert Wells, Silas White, Jennie Wolf McCauley, Ruth Walker Hastings, Clayton Wells, Dora Webster Wells, Grace Hollawell, Ben Burens, Simon Bordy; Heirs of John Riseup (Jesse Stacy, Edith Logan Redborn, Fannie E. Bird, John Whitebeaver, Lucy Logan, Charles Whitebeaver, George Snake, Belle Snake Rice, Richard Logan, Homer Snake, Maude Brown Eagle); Henry Rice Hill allotment (George Rice Hill, Lucy Rice Harrison, Alice Rice Hill, Mary R. Bigthunder, Charles Rice Hill), be and hereby is empowered and granted the right to file a civil suit against the State of Nebraska in the district court of either Burt, Thurston or Douglas Counties, Nebraska to determine the liability and obligations of the State of Nebraska to the said Reuben Bordy, individually, and as Trustee for those persons named herein who seek the cancellation, rescission, setting aside and holding for naught certain waivers of damage, or deeds, as the case may be, executed by the above named persons to their lands as described herein for the reasons set forth in the preamble hereof.

2. That the State of Nebraska, by this Resolution specifically waives its sovereignty, as recited in Sec. 22, Article V, Constitution of the State of Nebraska, and this Resolution granting permission to sue is in conformity with Sec. 27-319, Compiled Statutes of Nebraska, 1929 and 1937; and the Legislature intends by this Resolution to make the State of Nebraska liable to respond in damages to the persons named herein for the damage to their respective properties if it appears that such property was taken without just compensation or damaged since it is alleged that said property was obtained by the Department of Roads and Irrigation of the State of Nebraska and its agents and representatives upon the false and fraudulent misrepresentations and warranties as set forth in the preamble hereof.

3. That the Attorney General of the State of Nebraska is hereby authorized and directed to represent said State of Nebraska, in the event suit is brought, to defend for and on behalf of the State of Nebraska, and to make each and every defense to the claims of said Reuben Bordy, individually, and as Trustee for the persons named herein, which the State of Nebraska may have in the premises: **Provided,** the defense of laches and the statute of limitations shall not be pleaded or proved as a defense in said action by the State of Nebraska.

4. That in the event the district court of Burt, Thurston or Douglas Counties, Nebraska, shall enter, or in the further event that the Supreme Court of Nebraska, shall order the district court of Thurston, Burt, or Douglas Counties, Nebraska, to enter a judgment in favor of any of said parties, and against the State of Nebraska, the Auditor of Public Accounts of said state, upon receipt of a certified copy of any judgment or mandate, is hereby authorized and directed to draw his warrant or warrants for the amount specified therein, including interest thereon, upon the general fund of the state of Nebraska, and the State Treasurer is hereby directed to pay any such warrants when the same shall have been presented to him for that purpose.

5. That whereas, an emergency exists, this Resolution shall be in full force and take effect, from and after its passage and approval, according to law.

The resolution was laid over one day.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 138. By Committee on Agriculture.

A bill for an Act relating to game and fish; to accept on behalf of the State of Nebraska the conditions, purposes and terms of an Act of Congress, known as Public No. 415, 75th Congress, Chapter 899, 1st Session S. 2670, entitled, "An Act to provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes"; and to declare an emergency.

LEGISLATIVE BILL NO. 139. By Committee on Education.

A bill for an Act to amend Sec. 79-901, Comp. St. Supp., 1937, to amend Section 79-1001, Compiled Statutes of Nebraska, 1929, relating to schools; to prescribe the minimum course of study, the qualifications of examiners giving examinations to pupils upon completion of said course of study and the average examination grade required in all subjects to entitle pupils of public school districts to the privileges of free public high school education; to prescribe that the course of study for the high school grades shall be the Nebraska high school manual issued by the superintendent of public instruction; and to repeal said original sections.

LEGISLATIVE BILL NO. 140. By Committee on Education.

A bill for an Act relating to The University of Nebraska; to provide for the prescribing of conditions of admission to the several colleges of said university; and to repeal Section 85-112, Compiled Statutes of Nebraska, 1929.

LEGISLATIVE BILL NO. 141. By Klaver of Douglas, Craven of Lancaster, Mueller of Buffalo, Hastings of Polk, Doyle of Greeley, Norman of Douglas, Johnston of Hall, Thornton of Jefferson, Van Diest of Loup.

A bill for an Act to amend Secs. 68-103, 68-105, 68-258, 68-260, 68-261, 68-263, 68-276, 68-280, 68-328 and 68-333, Comp. St. Supp., 1937, relating to public welfare and social security; to provide public assistance for needy aged and needy poor persons; to require that the county boards of the several counties shall provide said assistance; to prescribe the requisite qualifications of recipients for old age assistance; to prescribe the bases and the methods to be employed by county assistance boards in computing the amount of money that each recipient of public assistance shall be paid as an old age assistance each month; to provide procedure for changing the amount of said monthly assistance as recited in old age assistance certificates; to provide procedure for appeal from any finding or final order of county assistance boards to county courts or to municipal courts; to provide that all trials on appeal shall be de novo; to repeal said original sections; to repeal Secs. 68-101 and 68-267, Comp. St. Supp., 1937; to repeal Section 68-102, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

LEGISLATIVE BILL NO. 142. By Garber of Webster, Reed of Lancaster.

A bill for an Act to amend Section 60-306, C. S. Supp. 1937, relating to motor vehicles, to prescribe the due and delinquent dates for the annual renewals of motor vehicle registrations; to provide the amount of motor vehicle registration fees on vehicles and motor trucks purchased on and after July 1st of each year; to provide the amount of renewal fees on motor vehicles and motor trucks when the same shall not have been used or driven during previous years; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 143. By Johnston of Hall.

A bill for an Act relating to labor; to regulate wage payments and wage collections; to provide penalties for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 144. By Johnston of Hall.

A bill for an Act to amend Section 81-6311, Compiled Statutes of Nebraska, 1929, relating to irrigation; to prescribe that the irrigation year ending September thirtieth rather than the calendar year shall be used in the determination of the amount of water appropriated on irrigated land; to provide that the aggregate three acre feet appropriated shall be measured at the land; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 145. By Johnston of Hall.

A bill for an Act to amend Section 81-6316, Compiled Statutes of Nebraska, 1929, relating to irrigation; to provide that the State Engineer shall be allowed six months to make his investigation of applications for water appropriations before he returns them for correction, if any; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 146. By E. A. Adams of Douglas, Rossiter of Thurston, Hall of Adams.

A bill for an Act to amend Section 27-601, C. S. Supp., 1933, as amended by Section 1, Chapter 60, Session Laws of Nebraska, 1937, relating to fiduciaries; to prescribe the class of securities in which trustees, guardians, executors and administrators are authorized to invest, in the absence of express instructions in the instrument creating the fiduciary relationship; to repeal said original section, as amended; and to declare an emergency.

LEGISLATIVE BILL NO. 147. By E. A. Adams of Douglas, Rossiter of Thurston.

A bill for an Act to amend Section 44-310, Compiled Statutes of Nebraska, 1929, as amended by Section 1, Chapter 101, Session Laws of Nebraska, 1937, relating to insurance; to prescribe legal investments for domestic insurance companies; to provide a saving clause; to repeal said original section as amended; and to declare an emergency.

LEGISLATIVE BILL NO. 148. By Gutoski of Douglas.

A bill for an Act imposing equalization fees upon motor vehicles, as defined by the laws of this State, operating on the public highways of this State, propelled by any motor, burning fuel not subject to the motor vehicle fuel tax laws of this State; fixing the amounts of such equalization fees for various sizes of vehicles; providing for the collection, payment and distribution thereof; making it a misdemeanor to operate such motor vehicles without payment of such equalization fees; and providing penalties for the violation thereof.

LEGISLATIVE BILL NO. 149. By Gutoski of Douglas.

A bill for an Act to amend Section 60-302, Compiled Statutes of Nebraska, 1937 Supplement, to provide that the kind of engine and motor and the character of fuel used be stated in the application for registration of motor vehicles; to provide for the application of the laws of Nebraska to trucks and buses licensed under the laws of other states and operating in Nebraska for distances of more than thirty-five miles; to provide exceptions thereto; to provide for the administration and enforcement thereof; to provide penalties for the operation of trucks or buses in Nebraska, licensed in states other than Nebraska, in violation of the provisions of this Act; and to repeal said original section.

LEGISLATIVE BILL NO. 150. By Miller of Kimball, Gantz of Box Butte, Dunn of Lancaster, Johnston of Hall.

A bill for an Act relating to the civil government of the State of Nebraska; to provide rules and regulations governing and controlling those persons holding all offices and positions of trust or employment in the service of said state, except said offices, positions or employments specified in the unclassified service of said state, but not of local governmental subdivisions thereof; to repeal all acts and parts of acts in conflict therewith; to prescribe penalties for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 151. By Reavis of Richardson.

A bill for an Act to amend Section 52-501, Compiled Statutes of Nebraska, 1929, relating to liens; to provide that the owner or operator of any threshing machine, combine or corn sheller shall have a first, prior and paramount lien; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 152. By Van Diest of Loup, Neubauer of Harlan, Johnston of Hall, Callan of Gage, Carsten of Cass, Thomas of Douglas, Gutoski of Douglas, Lambert of Platte, Thornton of Jefferson, Hall of Adams, Norman of Douglas, Gantz of Box Butte, Johnson of Dodge, Tvrdik of Douglas, Doyle of Greeley, Klaver of Douglas, Howard of McPherson, Mekota of Saline, Carlson of Phelps, Westley of Butler, Mueller of Buffalo, Sorrell of Otoe, Garber of Webster, Hastings of Polk, Ernest A. Adams of Douglas, Reed of Lancaster, Gross of Cherry, Murphy of Scotts Bluff, Rossiter of Thurston.

A bill for an Act to amend Sec. 79-901, Comp. St. Supp., 1937, relating to schools; to abolish requirements of county examinations for admission to free high schools; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 153. By Klaver of Douglas.

A bill for an Act to amend Section 20-2142, Compiled Statutes of Nebraska, 1929, relating to civil procedure district court; to divest said courts of the power to authorize suits on the note for deficiency judgment after petition has been filed for the foreclosure of real estate mortgage; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 154. By Herrick of Frontier.

A bill for an Act for the relief of Reta Cox, Earl Cox, Thomas Bailey and Sibil Bailey; appropriating Five Thousand Four Hundred Dollars, ($5,400.00) to said persons and authorizing the Auditor of Public Accounts to draw and deliver warrants for the same; and declaring an emergency.

LEGISLATIVE BILL NO. 155. By Mischke of Knox, Doyle of Greeley, Schultz of Antelope.

A bill for an Act to amend Sec. 39-1401, Comp. St. Supp., 1937, relating to state highways; to provide changes in and additions to the state highway system; and to repeal said original section.

LEGISLATIVE BILL NO. 156. By Thomas of Douglas.

A bill for an Act relating to crimes and punishments; to prevent the obtaining of money by assessment, intimidation or coercion from any county employee or employees, for any campaign or political purpose or purposes; to define the terms **assessment, intimidation, coercion,** and **county employee** or **employees;** to provide penalty for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 157. By Thomas of Douglas.

A bill for an Act to amend Section 7-111, Compiled Statutes of Nebraska, 1929, relating to attorneys at law; to prohibit clerks of municipal courts from practicing as attorneys in any of the courts of this state while holding their offices as municipal clerks; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 158. By Neubauer of Harlan, Westley of Butler, Brodecky of Colfax.

A bill for an Act to amend Sec. 72-202, Comp. St. Supp., 1937, relating to school lands and funds; to provide that refunding debentures or bonds issued by the State Board of Agriculture shall be deemed eligible as legal investments of school funds by the Board of Educational Lands and Funds; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 159. By Klaver of Douglas.

A bill for an Act to amend Sec. 48-205, Comp. St. Supp., 1937; to amend Section 48-207, Compiled Statutes of Nebraska, 1929; relating to labor; to provide the maximum hours permitted for the employment of females in any establishment in the state of Nebraska; to provide penalties for the violation thereof; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 160. By Norman of Douglas, Tvrdik of Douglas, Gutoski of Douglas, Reed of Lancaster, Dunn of Lancaster.

A bill for an Act to amend Section 81-402, Compiled Statutes of Nebraska, 1929, relating to the purchase of state supplies; to establish standards of competency for bidders; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 161. By John Adams, Jr. of Douglas.

A bill for an Act to amend Sec. 68-404, Comp. St. Supp., 1937, relating to public welfare and social security; to continue public assistance to the needy blind for the biennium ending June 30, 1941; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 162. By John Adams, Jr. of Douglas.

A bill for an Act to amend Sec. 43-513, Comp. St. Supp., 1937, relating to public welfare, public health and social security; to prescribe that assistance for dependent children shall continue through the biennium ending June 30, 1941; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 163. By John Adams, Jr. of Douglas.

A bill for an Act to amend Sec. 68-260, Comp. St. Supp., 1937, relating to public welfare and social security; to provide the pro rata payments of old age assistance shall be made monthly during the biennium ending June 30, 1941; to repeal said original section; and to declare an emergency.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.-B. No.	Introducer	Committee Reference
111	Ashmore	Public Works
112	Dunn	Banking, Comm. & Ins.
113	Dunn	Government
114	Dunn	Government

115	Carlson	Government
116	Carlson	Government
117	Carlson	Government
118	Herrick	Revenue
119	Thornton	Education
120	Craven	Banking, Comm. & Ins.
121	Craven	Public Works
122	Mueller	Public Works
123	Adams, E. A.	Public Works
124	Tvrdik, et al	Banking, Comm. & Ins.
125	Klaver, Adams, J. Jr.	Education
126	Adams, J. Jr.	Education
127	Peterson, Dunn	Judiciary
128	Gutoski	Pub. Health & Misc. Subs.
129	Norman, et al	Pub. Health & Misc. Subs.
130	Norman, et al	Pub. Health & Misc. Subs.
131	Norman, et al	Pub. Health & Misc. Subs.
132	Gutoski, Tvrdik	Government
133	Lambert	Banking, Comm. & Ins.
134	Reavis, et al	Government
135	Howard, Ashmore	Government
136	Doyle	Labor & Public Welfare
137	Carsten, Doyle	Revenue

MESSAGE FROM THE GOVERNOR

Concerning Budget Message

January 25th, 1939.

To the Members of the Fifty-Third Session of
the Nebraska Legislature

Gentlemen:

My attention has been called to the fact that there was some misunderstanding in my Budget Message with reference to the intent of applying a six percent cut to state cash funds. The figures set out in my Budget were intended to be the maximum which the departments would be permitted to spend during the coming biennium. So far as the federal grant funds were concerned, the six percent reduction could not apply. It is my desire, and no doubt yours, to obtain the maximum of federal allotments available. That money should be used.

Respectfully submitted,

(Signed) R. L. Cochran, Governor.

OPINION—Office of Attorney General

January 25, 1939

Honorable Ernest A. Adams
Building

Dear Sir:

You ask for an opinion as to whether different claims against the state, which have been presented to the claims committee for action, can be joined in one appropriation bill instead of being presented in different bills.

I am of the opinion that they may be consolidated in one bill if the legislature chooses to handle the matter in that way.

Of course, it would be entirely regular and proper to have each claim presented as the subject of a separate bill.

Respectfully submitted,

Walter R. Johnson, Attorney General.

(Signed) By George W. Ayres, Assistant Attorney General.

MOTION—To Incorporate All Highway Bills

Mr. President: I move that all members having bills requesting additions to our present system of state highways give same to committee on Public Works so they may consider same when the road bill introduced this morning is up for hearing. (Signed) Howard.

The motion prevailed.

Adjournment

At 12:22 p. m. Mr. Mueller moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Thursday.

The motion prevailed with 29 ayes, 1 nay, 13 not voting.

Hugo F. Srb
Clerk of the Legislature.

EIGHTEENTH DAY

Legislative Chamber,
Lincoln, Nebraska, January 26, 1939.

The Legislature met at 10:08 a. m. with President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Seventeenth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Thornton, one, Mr. Herrick, one, Mr. Reed, one, Mr. Craven, one, all seeking repeal of the Anti-picketing law; Mr. Hastings, one, opposing the present automobile testing law; Mr. Johnson and Mr. Westley, twenty-seven, favoring a game sanctuary for water fowls on the Platte River commencing at the eastern boundary and ending at the western boundary of Dodge County.

Communications

A letter from the Lincoln Chamber of Commerce was read in regard to the Safety Council luncheon.

NOTICE OF COMMITTEE HEARINGS

Appropriations

L. B. No. 100, Thursday, February 2, 1939, 2:00 p. m.

Banking, Commerce & Insurance

L. B. 78 set for February 7 at 2:00 p. m.

L. B. 80 set for February 7 at 2:30 p. m.

L. B. 65 set for February 2 at 2:00 p. m.

Government

L. B. No. 43, Wednesday, February 1, 1939, 2:00 p. m.

L. B. No. 64, Wednesday, February 1, 1939, 2:00 p. m.

L. B. No. 23, Friday, February 3, 1939, 2:00 p. m.

L. B. No. 24, Friday, February 3, 1939, 2:00 p. m.

L. B. No. 25, Friday, February 3, 1939, 2:00 p. m.

L. B. No. 26, Friday, February 3, 1939, 2:00 p. m.

Public Health and Miscellaneous Subjects

L. B. No. 72, Wednesday, February 1, 1939, 2:00 p. m.

L. B. No. 74, Wednesday, February 1, 1939, 2:00 p. m.

L. B. No. 75, Wednesday, February 1, 1939, 2:00 p. m.

L. B. No. 129, Wednesday, February 8, 1939, 2:00 p. m.

L. B. No. 130, Wednesday, February 8, 1939, 2:00 p. m.

L. B. No. 131, Wednesday, February 8, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Labor and Public Welfare

LEGISLATIVE BILL NO. 32 Placed on General File with amendments.

Standing Committee amendments to L. B. 32:

1. Amend the printed bill, page 1, section 1, line 8, strike the article "a" therein and insert after the word "appoint" and before the word "suitable", therein the word "one".

2. Amend the printed bill, page 1, section 1, line 8, insert the following after the word "person": "from each Congressional District."

3. Amend the printed bill, page 2, section 2, in line 10, strike the article "a" therein and insert after the word "appoint" and before the word "suitable" therein the word "one", and in said line 10 therein after the word "person" insert the words: "from each Congressional District."

(Signed) Dunn, Chairman

Judiciary

LEGISLATIVE BILL NO. 39. Placed on General File.

LEGISLATIVE BILL NO. 35. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 35:

In the printed bill, line 16 strike the words "at a compen-" and line 17 strike the words "ation of" (original bill, page 2, line 11) and insert in lieu thereof, following the word "deputy" the following:

", who when so employed shall be compensated at a rate equivalent to."

LEGISLATIVE BILL NO. 27. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 27:

That a new section be added to read as follows:

"Sec. 3. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law."

That the title be amended by striking the "." inserting a ";" and adding the following:

"and to declare an emergency."

(Signed) Thomas, Chairman.

RESOLUTIONS

MOTION—To Reconsider Resolution on H. R. 2

Mr. President: I move that we reconsider our action of yesterday relative to memorializing the National Congress concerning H. R. 2 for the purpose of amending said resolution. (Signed) Lambert.

The motion prevailed with 24 ayes, 13 nays, 6 not voting.

MOTION—To Amend Resolution

Mr. President: I move that paragraph numbered "1" be stricken and the following be substituted therefor:

1. That this Legislature respectfully petitions, memorializes and urges the Committee on Ways and Means, House of Representatives of the United States, to grant a hearing on H. R. 2, 76th Congress, at this session of Congress. (Signed) Gantz.

MOTION—To Table Resolution

Mr. President: I move to table Mr. Gantz' motion to amend this resolution. (Signed) Howard.

The motion to table prevailed.

MOTION—To Refer to Standing Committee

Mr. President: I move that the Resolution be referred to the Committee on Labor and Public Welfare for redrafting if necessary. (Signed) Schultz.

The motion prevailed with 21 ayes, 18 nays, 4 not voting.

LEGISLATIVE RESOLUTION NO. 5.

MOTION—To Refer to Standing Committee

Mr. President: I move that this resolution be referred to the proper standing committee and that the said committee hold a public hearing thereon, in the same manner as in the case of Legislative Bills, and report to this body its findings and recommendations. (Signed) Rossiter.

The motion prevailed.

Mr. President: I offer the following resolution and move its adoption. (Signed) Carsten.

LEGISLATIVE RESOLUTION NO. 6.

Providing Necessary and Adequate Cafe or Restaurant Facilities for the Convenience of Legislators, State Officers, Nebraska Citizens and Other Persons Having Occasion to Work in or Visit the Nebraska State Capitol.

Introduced by Carsten of Cass, Johnston of Hall.

Preamble

WHEREAS, the Nebraska State Capitol is deficient in and handicapped by the lack of necessary adequate cafe and restaurant facilities for the convenience of members of this Legislature, state officers, public employees and other persons having business in or about the Nebraska State Capitol, and

WHEREAS, the report of the State Planning Board makes recommendations for such facilities which are proper in every particular, NOW THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That the custodian of the State Capitol of the State of Nebraska be directed forthwith to assign and set aside for cafe or restaurant purposes quarters in said State Capitol known as Rooms 1117 and 1424 in accordance with the findings of the State Planning Board.

2. That the Committee on Legislative Administration of this Legislature be directed forthwith to prepare, and introduce such legislation at the present session of this Legislature to insure adequate cafe or restaurant accommodations in the State Capitol, if it shall determine that any such remedial legislation upon this subject is required.

3. That copies of this resolution be forthwith delivered by the Clerk of this Legislature to the custodian of the State Capitol after the same shall have been spread at large on the Legislative Journal.

Substitute Motion

Mr. President: I move that the resolution of Mr. Carsten be referred to the proper standing committee for consideration and report to the Legislature at the earliest date possible. (Signed) Thomas.

The motion prevailed.

The Legislature was at ease for ten minutes.

MESSAGE FROM THE GOVERNOR

Council of State Governments

January 26th, 1939.

To the Members of the Fifty-Third Session
of the Nebraska Legislature

Gentlemen:

As the representative of the legislative and executive branches of our state government in attendance at the Fourth General Assembly of the Council of State Governments, of which Nebraska is a member, I desire to submit the following report:

The general theme of the Assembly and the subject that was most emphasized was state trade barriers and their adverse effect upon interstate commerce. Throughout all of the numerous discussions of this subject during the Assembly, the growing tendency to erect barriers against interstate commerce was reflected. It was pointed out that one of the major objectives of the federal department of state has been the removal of trade barriers between nations, and yet while that program has been going on between nations, as states we have gone in the opposite direction, creating trade barriers between states equally adverse to the free movement of commerce. It is pointed out that, heretofore, the absence of trade barriers in the United States was responsible to a considerable extent for our prosperity and development. There were forty-three states represented at the Assembly and it is my belief that these representatives returned to their legislative bodies, practically all of which are now in session, imbued with the conviction that certainly no additional barriers should be set up by legislative or administrative acts and that present trade barriers, wherever they exist, should be removed.

While the principal examples of trade barriers cited were cases of one state imposing a tax against the products of another state, a second important phase was the existing inequality of transportation rates. Cases were cited where truck transportation laws of one state impose hardship and restraint on commercial truck operators of other states. It was likewise pointed out that discriminatory railroad freight rates as between sections of the country also were restricting free interchange of commerce and of opportunities for industrial development. The sections adversely effected are the south, the southwest, and the middle western states.

A resolution condemning trade barriers was adopted by the Conference. It included a request to Congress to make a study of discriminatory freight rates as between sections, with a view to effecting correction of such discriminatory conditions. A large group of members of Congress representing these sections already have formed an organization in an attempt to correct these inequalities. Congressman McLaughlin of Nebraska is one of the leaders of this movement. Their efforts can be greatly aided by cooperation from the people and the legislatures of the states which they represent. I call this to your attention at this time for any action that you may desire to take.

Nebraska produces an abundance of raw materials. We have an abundance of power and of intelligent labor and widespread transportation facilities. The state is so located geographically that with these advantages, Nebraska should be developing industrially. We have a big stake in a successful solution of these problems.

The subject of conflicting taxation between levels of government was likewise discussed. It was pointed out that in some states, federal methods of taxing had been adopted by the states to such an extent that the duplication created a grave condition from the standpoint of the taxpayer. Nebraska is one of few states which has not invaded the federal field of taxation.

Other subjects discussed were those which had to do with cooperation between the states and the national government, some of the subjects being wage and hour legislation, agricultural program, also state planning and the cooperation of state planning boards with the national resources board.

I feel that the Assembly was of great value. I noted a growing interest on the part of all of the states to take part in this important movement to the end that the sovereign states may remain sovereign, and that problems which can be solved by the states be not turned over to the federal government for solution.

The complete report of the Assembly will be made available to you within a short time. Because of a regard for your time, I have merely touched upon the high spots of the Assembly. I shall welcome the opportunity to give you any additional information you might desire pending the time the complete report is made available to you.

Respectfully submitted,

(Signed) R. L. Cochran,
Governor.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 164. By Committee on Appropriations.

A bill for an Act specifically to appropriate the sum of ten thousand three hundred and fourteen dollars and thirty-five cents, or so much thereof as may be necessary, out of the General Fund of the State of Nebraska to pay the premiums on the official bonds of the State Treasurer and deputy State Treasurer of said state for the term commencing January 5, 1939; to pay premiums on bonds for burglary and robbery insurance and on messenger robbery insurance in connection with the office of the State Treasurer for a period ending January 13, 1941; and to declare an emergency.

LEGISLATIVE BILL NO. 165. By Reavis of Richardson.

A bill for an Act to amend Section 16-306, Compiled Statutes of Nebraska, 1929, relating to cities of the first class having a population of not less than five thousand nor more than twenty-five thousand inhabitants; to provide the maximum salaries that officers in said cities may receive; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 166. By Reavis of Richardson.

A bill for an Act to amend Sec. 17-209, Comp. St. Supp., 1937, relating to municipal corporations; to provide the maximum compensation allowed to be paid to village trustees; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 167. By Reavis of Richardson.

A bill for an Act to amend Section 17-108, Compiled Statutes Supplement 1937, relating to cities of the second class; to provide the maximum salaries that officers in said cities may receive; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 168. By Mekota of Saline.

A bill for an Act to amend Section 70-712, 1937 Cumulative Supplement to Compiled Statutes of Nebraska, 1929, relating to public power and irrigation districts; authorizing such districts to sell electric power plants, generating plants or distribution systems, or parts thereof, to cities and villages; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 169. By Miller of Kimball, Thornton of Jefferson.

A bill for an Act to amend Article 7 of Chapter 70, 1937 Cumulative Supplement to Compiled Statutes of Nebraska 1929, relating to public power districts and public power and irrigation districts; to permit cities and villages to require public power districts and public power and irrigation districts to sell electric power plants or electric generating plants, or electric distribution systems, or parts thereof, providing methods and procedures therefor, including the determination of value thereof and of severance damages; to repeal Section 70-712, 1937 Cumulative Supplement, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

LEGISLATIVE BILL NO. 170. By Thornton of Jefferson, Miller of Kimball.

A bill for an Act to amend Section 70-713 Comp. St. Supp., 1937, relating to public power, and public power and irrigation districts; to amend said section to require any such districts to have a franchise for operation within cities and villages; to provide that the franchises granted may provide maximum rates to be charged; and to repeal said original Section 70-713.

LEGISLATIVE BILL NO. 171. By Mekota of Saline, Gantz of Box Butte.

A bill for an Act to amend Section 20-2009, Compiled Statutes of Nebraska, 1929; to amend Sec. 27-502, Comp. St. Supp., 1937; to amend Sections 27-504, 27-505, Compiled Statutes of Nebraska, 1929; to amend Sec. 27-506, Comp. St. Supp., 1937; and to amend Sections 27-507, 27-512, 27-513, 27-514, 27-515, 27-522, 27-524, 27-529, 27-530, 27-531 and 27-533, Compiled Statutes of Nebraska, 1929; relating to the county court; to redefine the civil terms thereof; to prescribe a uniform system of procedure therein; to redefine the powers of the county court in estate cases; to provide for the interchange of county judges; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 172. By Judiciary Committee.

A bill for an Act relating to the practice and procedure in the various courts of the state; authorizing the Supreme Court to promulgate rules of practice and procedure for all courts, uniform as to each class of courts without abridging the substantive rights of any litigant; providing that the rules so adopted shall supersede the statutes where the same are in conflict; and to repeal all acts and parts of acts in conflict therewith.

LEGISLATIVE BILL NO. 173. By Reavis of Richardson.

A bill for an Act for the relief of Joe Murray to appropriate the sum of $———— therefor out of the general fund; and to declare an emergency.

LEGISLATIVE BILL NO. 174. By Gantz of Box Butte.

A bill for an Act granting power and authority to cities of the first class to define, regulate, suppress and prevent nuisances, and to declare what shall constitute a nuisance.

LEGISLATIVE BILL NO. 175. By Mischke of Knox.

A bill for an Act to amend Secs. 54-954 and 54-955, Comp. St. Supp., 1937, relating to animals; to protect the health thereof by preventing, suppressing, controlling and eradicating anthrax from among them; to provide for gratuitous vaccination of animals belonging to indigent owners; to prescribe the conditions under which such gratuitous vaccination may be done; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 176. By Callan of Gage. (By request.)

A bill for an Act to amend Section 16-671, 1937 Cumulative Supplement to Compiled Statutes of Nebraska, 1929, relating to municipal corporations; to provide that any city or village may construct, purchase or otherwise acquire a water works plant or a water system, or a gas plant or a gas system, either within or without its corporate limits, and may pay for the cost of the same by the issuance and sale of revenue bonds or debentures; to repeal Section 16-671, 1937 Cumulative Supplement to Compiled Statutes of Nebraska, 1929; and to declare an emergency.

LEGISLATIVE BILL NO. 177. By Mekota of Saline.

A bill for an Act relating to crimes and punishments; to prohibit the solicitation of funds from old people, recipients of any type or kind of public assistance, to obtain legislation for old age assistance or to promote the candidacy of any person, persons, or political party advocating old age assistance; to provide penalty for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 178. By Diers of York.

A bill for an Act to amend Sections 80-303, 80-306 and 83-1304, Compiled Statutes of Nebraska, 1929, and Sec. 83-755, Comp. St. Supp., 1937, relating to state institutions; to provide that the lands and buildings of the Nebraska Industrial Home at or near Milford, Seward County, Nebraska shall be known and designated as the Nebraska Soldiers' and Sailors' Home; to provide that the Nebraska Soldiers' and Sailors' Home at or near Grand Island, Hall County, Nebraska shall be transferred to the lands and buildings of the Nebraska Industrial Home at or near Milford, Seward County, Nebraska and shall be consolidated with the Milford branch of the Soldiers' and Sailors' Home under the supervision of the Commandant of the Soldiers' and Sailors' Home at Milford; to provide that such consolidated Soldiers' and Sailors' Home shall be known and designated as the Nebraska Soldiers' and Sailors' Home; to provide that the Nebraska Industrial Home shall be transferred from the lands and buildings now occupied by such home at or near Milford, Seward County, Nebraska; to provide that the lands and buildings of the Nebraska Soldiers' and Sailors' Home at or near Grand Island, Hall County, Nebraska, shall be known and designated as the Grand Island branch of the Hastings State Hospital and that such hospital shall be employed as a hospital for mental diseases under supervision of the superintendent of the Hastings State Hospital; to provide that senile and harmless patients shall be sent to the Grand Island branch of the Hastings State Hospital and shall cultivate land around such hospital and raise food stuffs for institutions of the State of Nebraska; to provide that expense of transfers shall be paid in such manner as the Legislature of Nebraska shall provide; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 179. By Committee on Education.

A bill for an Act to amend Section 1, Article VII, Constitution of the State of Nebraska, 1875, and the several amendments thereto, including the amendments proposed by the Constitutional Convention of 1919-1920, and adopted at a special election held on the 21st day of September, 1920, relating to education; to provide that the Superintendent of Public Instruction shall, from and after the first Tuesday in January, 1941, be a member of the board of commissioners, commonly known as Board of Educational Lands and Funds.

LEGISLATIVE BILL NO. 180. By Ashmore of Hayes, Gross of Cherry, Van Diest of Loup, Howard of McPherson, Gantz of Box Butte.

A bill for an Act to amend Sec. 37-305, Comp. St. Supp., 1937, relating to game and fish; to provide a special open season for trapping beaver that are destroying trees or otherwise damaging property; to provide that permits to trap such beaver may be issued to the owner or owners of the land upon which damage is done by beaver; to provide that on the sale by the state of the pelts or hides of beaver so destroyed, the person taking said beaver shall be refunded three-fourths the amount received for said pelts; to provide that said state shall sell each lot of the pelts so taken by each individual permitee at public auction to the highest bidder; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 181. By Mueller of Buffalo, Klaver of Douglas.

A bill for an Act to amend Section 71-1703, Compiled Statutes of Nebraska, 1929, relating to Public Health and Welfare, and the practice of osteopathy; to prescribe the qualifications of applicants for a license to practice; to provide for the preliminary education to be required of applicants for a license to practice osteopathy, and to repeal said original section.

LEGISLATIVE BILL NO. 182. By Craven of Lancaster.

A bill for an Act to amend Section 36-501, Compiled Statutes of Nebraska, 1929, relating to the Statute of frauds; to provide that the sale, trade or other disposition in bulk of any part or the whole of the fixtures, equipment or machinery pertaining to a stock of merchandise, or both, shall be considered the same as the sale of merchandise in bulk when determining if the sale thereof is void as to creditors of the seller; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 183. By Miller of Kimball.

A bill for an Act to amend Sec. 71-701, Comp. St. Supp., 1937, relating to public health and welfare; to prescribe the amount of original and reciprocal license fees to be collected from dental practitioners of the healing arts; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 184. By Garber of Webster.

A bill for an Act to amend Sec. 39-1401, Comp. St. Supp., 1937, relating to a system of state highways; to provide changes in and additions to the state highway system; and to repeal said original section.

LEGISLATIVE BILL NO. 185. By Murphy of Scotts Bluff.

A bill for an Act to amend Sec. 70-706, Comp. St. Supp., 1937, relating to public power districts, public irrigation districts and public power and irrigation districts; to provide that such districts shall not hereafter construct, purchase, lease or otherwise acquire any electric light or power plant, lines or systems without, within or partly within the boundaries of cities or villages, except upon approval by a vote of sixty per cent of the qualified electors of such cities or villages voting thereon; to provide the manner of holding such election, the method for defraying the expense of such election and the giving of notice thereof; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 186. By Dunn of Lancaster, Neubauer of Harlan.

A bill for an Act to amend Sections 30-607 and 30-616, Compiled Statutes of Nebraska, 1929, relating to decedents' estates; to provide for the basis of distribution to secured creditors having unmatured demands; to provide for the basis of distribution to secured creditors of insolvent estates; and to repeal said original sections.

LEGISLATIVE BILL NO. 187. By Doyle of Greeley.

A bill for an Act relating to revenue; relating to billboard advertising; to provide for regulation of billboard advertising within any county and municipality in the State of Nebraska; to authorize county boards and the governing bodies of municipalities to levy a tax upon billboard advertising within their corporate limits; and to provide for the enforcement thereof.

LEGISLATIVE BILL NO. 188. By Doyle of Greeley.

A bill for an Act to amend Sec. 75-232, Comp. St. Supp., 1937, relating to the transportation of property by motor carriers in intrastate commerce upon the public highways of Nebraska; to require contract carriers to file approved surety bond, policy of insurance, qualification as a self-insurer or other securities or agreements, in such reasonable amount as the commission may require; and to repeal said original section.

LEGISLATIVE BILL NO. 189. By Doyle of Greeley.

A bill for an Act relating to county government and officers; to obtain central purchasing for county governments in the purchase of all supplies, materials, equipment and machinery to the end that cheaper prices may be obtained, with resultant savings of public funds; to encourage competitive bidding; to provide that upon request of any county board, officer, office, department or agency of any county government the tax commissioner shall furnish a maximum estimate of price to be paid for all items set out in request; to provide that tax commissioner shall prepare and circularize pamphlets on county purchasing; to provide that tax commissioner may purchase for counties; to provide standard forms for contracts and bids; to provide that county boards, officers, offices, departments or agencies of county government shall make written request for estimate from the tax commissioner in purchase of all supplies, materials, equipment or machinery in amounts of fifty dollars except for emergency relief; to establish procedure for purchase of all supplies, materials, equipment and machinery by county governments; to provide for perpetual inventory of county property by county clerk; to amend Section 26-706, Compiled Statutes of Nebraska, 1929; to amend Sec. 26-108, Comp. St. Supp., 1937; to repeal Sections 26-705 and 26-707, Compiled Statutes of Nebraska, 1929; to provide penalty for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 190. By Reavis of Richardson.

A bill for an Act to submit to the voters of the State at the general election in November, 1940, a proposed Constitutional Amendment to amend Section 2, Article VIII, of the Constitution of Nebraska relating to property exempt from taxation; proposing to amend said Section to provide for the taxation of certain property of a public power or public power and irrigation district; providing the manner of submitting such proposed Constitutional Amendment.

LEGISLATIVE BILL NO. 191. By Howard of McPherson.

A bill for an Act to amend Sec. 79-1501, Comp. St. Supp., 1937, relating to schools; to provide the qualifications for the office of county superintendent in counties having a population of less than two thousand inhabitants; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 192. By Howard of McPherson, Ashmore of Hayes, Gross of Cherry.

A bill for an Act providing for the appointment of a commissioner to act on behalf of the State of Nebraska to negotiate a compact between the states of Colorado and Nebraska respecting the use and distribution of the waters of the South Platte River and the rights of said states thereto; and to declare an emergency.

LEGISLATIVE BILL NO. 193. By Hall of Adams.

A bill for an Act to amend Section 20-216, Compiled Statutes of Nebraska, 1929, relating to civil procedure district court; to prescribe the time of commencement of actions relating to the recovery of title or possession of real estate and mortgage foreclosure after voluntary part payment or an acknowledgment of an existing liability, debt or claim; after right of action thereon shall have been barred; and to repeal said original section.

LEGISLATIVE BILL NO. 194. By Doyle of Greeley.

A bill for an Act to amend Secs. 39-1126, 39-1174, 39-1193 and 39-11,101, Comp. St. Supp., 1937, relating to highways and bridges: to provide maximum speed limits for both commercial and passenger vehicles; to require front and rear reflectors at certain specified times for tractors, towed vehicles, and vehicles not self propelled; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 195. By Tvrdik of Douglas, Norman of Douglas.

A bill for an Act creating a Division of Elevator Inspection in the State Department of Labor; creating the office of Elevator Inspection; providing for the inspection and supervision of passenger and freight elevators, and for other purposes.

LEGISLATIVE BILL NO. 196. By Van Diest of Loup. (By request).

A bill for an Act relating to vocational education; specifically to appropriate the sum of Fifty-three Thousand Dollars ($53,000.00), or so much thereof as may be necessary for the establishment and operation of a vocational trade and industrial school for men and boys in the city of Broken Bow, Custer County, Nebraska; to empower the Board of Vocational Education to administer the provisions of this Act; and to declare an emergency.

LEGISLATIVE BILL NO. 197. By Murphy of Scotts Bluff.

A bill for an Act to amend Sec. 39-1036, Comp. St. Supp., 1937, relating to motor vehicles; to abolish the requirement that trucks shall be brought to a complete stop before crossing any railroad track; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 198. By Rossiter of Thurston.

A bill for an Act to amend Secs. 8-209 and 8-212 b, Comp. St. Supp., 1937, relating to trust companies; to provide rules and regulations governing and controlling national banks acting as such fiduciaries; to provide for the deposit and withdrawal of cash or securities by said banks while commencing to act or while acting in a fiduciary capacity; to repeal said original sections; to repeal Sec. 8-212 a, Comp. St. Supp., 1937; and to declare an emergency.

LEGISLATIVE BILL NO. 199. By Herrick of Frontier, Ashmore of Hayes.

A bill for an Act to amend Sec. 39-1401, Comp. St. Supp., 1937, relating to state highways; to provide changes in and additions to the state highway system; and to repeal said original section.

LEGISLATIVE BILL NO. 200. By Klaver of Douglas.

A bill for an Act relating to civil procedure; to provide in actions against railroad companies for damages done to persons or property, by the running of locomotives or cars, what shall constitute prima facie evidence of the want of reasonable skill and care on the part of the railroad company with reference to such injuries; and to declare an emergency.

LEGISLATIVE BILL NO. 201. By Hall of Adams.

A bill for an Act to amend Section 26-265, Compiled Statutes of Nebraska, 1929; to amend Sec. 33-128, Comp. St. Supp., 1937, relating to county government and officers; to prescribe the total maximum compensation of county supervisors in counties under township organization having a population of twenty-five thousand inhabitants and less than sixty thousand inhabitants, including mileage, per diem, and the compensation for each day actually employed in directing road work in his district; to repeal said original sections; and to declare an emergency.

Adjournment

At 12:14 p. m. on motion by Mr. Brady the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

NINETEENTH DAY

Legislative Chamber,
Lincoln, Nebraska, January 27, 1939.

The Legislature met at 9:05 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Eighteenth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Hall, one, favoring repeal of the present automobile testing law; Mr. Van Diest, six, opposing the present motor truck regulations and the itinerant merchants law; Mr. Lambert, one, favoring an amendment to the law fixing the amount of bonds required of county judges.

Communications

A letter was read from the General Federation of Women's Clubs favoring the present Safety Patrol law.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL NO. 30 Placed on General File.

LEGISLATIVE BILL NO. 10. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 10:

1. Amend the original bill, Page 1, Section 1, line 9 (Page 1, Section 1, line 8 of the printed bill) by striking the word "twenty-four" therein and by inserting in lieu thereof the word "thirty-two".

2. Amend the original bill, Page 1, Section 1, line 11 (Page 1, Section 1, line 9 of the printed bill) by striking the word "eighteen" therein and by inserting in lieu thereof the word "twenty-four".

3. Amend the original bill, Page 1, Section 1, line 14 (Page 1, Section 1, line 11 of the printed bill) by striking the word "twenty-four" therein and by inserting in lieu thereof the word "thirty-two".

4. Amend the original bill, Page 2, Section 1, line 16 (Page 1, Section 1, line 13 of the printed bill) by striking the words "forty-five hundred" therein and by inserting in lieu thereof the words "four thousand".

5. Amend the original bill, Page 2, Section 1, line 18 (Page 1, Section 1, line 15 of the printed bill) by striking the word "twenty-four" therein and by inserting in lieu thereof the word "thirty-two".

(Signed) Von Seggern, Chairman.

Judiciary

LEGISLATIVE BILL NO. 40. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 40:

Strike word "affecting" in line 3, sec. 3, page 2 of the printed bill (line 4, sec. 3, page 3 original bill) and insert in lieu thereof the word "effecting".

And amend further by adding as a new sentence at the end of Section 1, after the word "partnership." the following: "Any partnership operating under the provisions of this Act shall use the word Limited or its abbreviation Ltd. following the firm name and as a part thereof."

LEGISLATIVE BILL NO. 42. Placed on General File.

(Signed) Thomas, Chairman

MOTION—Not to Concur, L. B. No. 6

Mr. President: I move that we do not concur in the report of the Committee on Revenue indefinitely postponing L. B. No. 6. (Signed) Herrick.

The motion was lost with 5 ayes, 27 nays, 11 not voting.

RESOLUTIONS

L. R. No.	Introducer	Committee Reference
5	Rossiter	Claims and Deficiencies
6	Carsten, Johnston	Legislative Administration

LEGISLATIVE RESOLUTION NO. 7 By Miller of Kimball, Hastings of Polk, Ernest A. Adams of Douglas, Hall of Adams.

For Investigation and Examination of Department of Insurance

Preamble

WHEREAS, this Legislature has no concrete evidence before it as to the precise condition of the Department of Insurance of the State of Nebraska, and

WHEREAS, precise information concerning the past administration of said Department of Insurance is necessary, if this Legislature shall intelligently pass upon bills now before it for consideration or bills requested for presentation to this Legislature all touching the field of insurance, and

WHEREAS, many conflicting statements have been made with respect to the administration of the affairs of said Department of Insurance, and

WHEREAS, in fairness to those public officials and public employees connected with said Department of Insurance and of the citizens and taxpayers of the State of Nebraska, there should be an official finding of the facts by the Legislature at this time concerning the conduct and administration of said Department, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That the President of this Legislature forthwith appoint a committee of five from the body of this Legislature to investigate and examine the Department of Insurance of the State of Nebraska and to report in writing on or before the Fiftieth legislative day of said Fifty-third Session its findings as to the regularity of all books, papers or matters now before said Department, or heretofore disposed of by said Department of Insurance, together with such recommendations as said committee may see fit to include in its said report to overcome any conditions, practices or policies found to exist which ought in the future to be improved or corrected, if any.

2. That the sum of two thousand dollars or so much thereof as may be necessary, is hereby made available for the use of said committee out of funds heretofore appropriated for the incidental expenses of the Fifty-third Session of the Legislature to be expended in the same manner as other claims against said fund are allowed and paid.

3. That the said committee shall have full power and authority, and it shall be its duty to prosecute its inquiries in any and every direction and by any and every means in its judgment necessary or proper to enable it to obtain information in regard to their report on matters contemplated in this resolution. Whenever in its judgment the public interest demands, the committee may require any public officer, deputy, assistant or any public employee paid directly or indirectly by means of public funds, or any other individual, to testify before them and to produce books, papers or other documents in obedience to the subpoena of said committee: Provided, however, any person so attending and testifying and producing such books, papers or other documents, shall not be subject to prosecution or to any penalty or forfeiture for or on account of the particular transaction made or things concerning which he may testify or produce evidence, documentary or otherwise, before said committee; and provided further, said committee may conduct investigations, examine witnesses and hold hearings in public or in camera.

4. That, since the Attorney General of this state is the proper state agency, when requested by the Legislature, to assist it in the conduct of any investigation in which the state is interested, this Legislature specifically empowers said committee to request the Honorable Walter R. Johnson, Attorney General, to assist in the conduct of said insurance investigation at such times and places as said committee may require: Provided, no additional compensation shall be paid the said Attorney General or any member of his staff for such legal services rendered said committee, other than the specific moneys heretofore appropriated for the maintenance and conduct of the said office, but the said Attorney General or such member or members of his regular

staff as may perform services for said committee shall be entited to reimbursement for such reasonable, necessary, expenses incurred in assisting said committee with said investigation out of funds appropriated for the use of said committee in Section 2 of this Resolution. Be it further provided, that the investigating committee may employ such other legal counsel as they may deem necessary.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 202. By Brodecky of Colfax.

A bill for an Act to amend Section 81-1028; 81-1029; 81-1030; 81-1031; 81-1032; 81-1033; and 81-1035, Supp., 1937, relating to the purchase and sale of Eggs; to provide for the candling of eggs by licensed candlers; to require demonstration of ability by candlers before license may be had; to require facilities for candling and protection of eggs after candling; to require that those who buy eggs for resale or for use in hatcheries must obtain annual permit; to provide measure of fee for candler's license and buyer's permit; to provide for inspection, fees and penalties; to create a new Section, Number 81-1034, and to repeal aforesaid original Sections.

LEGISLATIVE BILL NO. 203. By Brodecky of Colfax.

A bill for an Act relating to decedents' estates; to authorize the executor or administrator of the estate of a deceased person, or the guardian of a minor or incompetent person, to borrow money and secure the payment thereof by a mortgage or pledge of the personal property of the estate of the decedent or the minor or incompetent person.

LEGISLATIVE BILL NO. 204. By Brodecky of Colfax.

A bill for an Act to prevent the anonymous selling of surplus chicks at public auction in Nebraska; to require those selling chicks at public auction to meet certain requirements; and to provide for permits to sell baby chicks at auction; and to provide for penalty for violation; and to declare an emergency.

LEGISLATIVE BILL NO. 205. By Johnson of Dodge, Westley of Butler.

A bill for an Act to create and establish additional state game refuge on each side of the banks of the Platte River between the Counties of Dodge and Saunders in said state; to regulate and prohibit the coursing or killing of game birds or other birds therein; to provide penalties for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 206. By Reavis of Richardson.

A bill for an Act relating to contracts with the Department of Roads and Irrigation, State of Nebraska; to provide for the prequalification of bidders on contracts for the construction, reconstruction and improvement of roads, bridges and their appurtenances to be let by the Department of Roads and Irrigation; to provide for the payment of the cost of reproductions of plans furnished by the Department of Roads and Irrigation by any person requesting the same and to amend Sections 39-1425, 39-1505; and to repeal said original sections.

LEGISLATIVE BILL NO. 207. By Mekota of Saline.

A bill for an Act relating to municipal corporations; to authorize and empower cities and villages to accept by gift or devise or to purchase general improvements; to purchase real estate and to construct general improvements; to maintain, operate and manage the same for the benefit of the persons and property within said cities and villages; to levy taxes to provide a fund for such purposes; to provide for the investment of funds pending use of the same; to provide for the use of the funds raised; and, to declare an emergency.

LEGISLATIVE BILL NO. 208. By Craven of Lancaster.

A bill for an Act to amend Sec. 37-204, Comp. St. Supp., 1937, relating to game and fish; to provide fees for coon hunting permits; to provide fees for non-resident hunting permits; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 209. By Gantz of Box Butte.

A bill for an Act to amend Section 36-303, Compiled Statutes of Nebraska, 1929, relating to the statute of frauds; to prescribe procedure for validating expired chattel mortgages by the refiling thereof; and to repeal said original section.

LEGISLATIVE BILL NO. 210. By Gantz of Box Butte. (By request.)

A bill for an Act to amend Sections 32-212, 77-1425 and 77-1602, Compiled Statutes of Nebraska, 1929; to amend Secs. 33-129, 77-703, 77-1609 and 77-1804, Comp St. Supp., 1937, relating to revenue; to provide for the salaries of county assessors and deputy county assessors in counties with a population of five thousand inhabitants or less where the office of county assessor shall not have been abolished; to abolish all offices of local and precinct assessors; to prescribe the duties of county assessors and their deputies in such counties; to provide that in said counties, a county assessor shall appoint not to exceed three deputy assessors; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 211. By Committee on Agriculture.

A bill for an Act to amend Secs. 37-101 and 37-202, Comp St. Supp., 1937; to amend Section 37-208, Compiled Statutes of Nebraska, 1929; to amend Secs. 37-211, 37-213, and 37-305, Comp. St. Supp., 1937; to amend Sections 37-306 and 37-403, Compiled Statutes of Nebraska, 1929; and to amend Secs. 37-405 and 37-511, Comp. St. Supp., 1937, relating to game and fish; to classify marten and skunk as fur-bearing animals; to define predatory animals; to require the issuance of permits to authorize hunting, taking or killing fur-bearing animals; to prohibit licensees to use or borrow the certificate of another for his or her use while hunting, fishing or trapping; to require permits from the Game, Forestation and Parks Commission to buy, sell or barter the skins or pelts of fur-bearing or predatory animals; to provide that persons taking beaver under special permit to trap the same shall be refunded three-fourths the amount received for the pelts; to require that cold storage plant owners or operators and those renting lockers therein in which game or fish may lawfully be kept, shall make the contents of all locker boxes available for inspection by any authorized agent of the commission or other officer authorized to enforce the provisions of this Act; to provide penalties for removing or defacing signs posted by the commission on or near game reserves, bird refuge or wild fowl sanctuaries; to empower the commission to close any lake, stream or designated portion thereof to spearing fish; to define prima facie evidence charging offenses concerning unlawful possessions of raw skins or pelts of game or fur-bearing animals; to regulate taxidermy; to prescribe annual fees for taxidermists; to prescribe annual permits for fees for tanners; to provide penalties for the violation thereof; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 212. By Neubauer of Harlan.

A bill for an Act to amend Sections 2-1113, of the Compiled Statutes of Nebraska for 1929 as amended, by providing for the manner of voting upon the proposal of creating or abolishing an appropriation for county funds for Agricultural Extension Work and to otherwise provide for the appropriation of county funds for Agricultural Extension work; to repeal said original section and to declare an emergency.

LEGISLATIVE BILL NO. 213. By Hall of Adams.

A bill for an Act to amend Sec. 8-192, Comp. St. Supp., 1937; to amend Section 8-196, Compiled Statutes of Nebraska, 1929, relating to banks and banking; to provide procedure for the liquidation of banking and other financial institutions by the Department of Banking; to repeal said original sections; to repeal Sec. 8-194b., Comp. St. Supp., 1937; and to declare an emergency.

LEGISLATIVE BILL NO. 214. By Johnson of Dodge.

A bill for an Act to amend Section 77-201, Compiled Statutes of Nebraska, 1929, relating to revenue; to fix and determine the basis of arriving at the actual value of property subject to taxation so as to include every element and factor affecting the actual value thereof; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 215. By Carlson of Phelps.

A bill for an Act to amend Sec. 60-328, Comp. St. Supp., 1937, relating to motor vehicles; to provide registration fee for trailers or semi-trailers with a carrying capacity of more than one thousand pounds and less than three thousand pounds; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 216. By Hastings of Polk.

A bill for an Act to amend Sections 26-242, 39-601, 39-607, 39-1303, 39-1310, 39-1311, 39-1312, 39-1314 and 46-402 Compiled Statutes of Nebraska, 1929; to amend Secs. 12-119, 39-206 and 39-1301, Comp. St. Supp., 1937 relating to highways and bridges; to abolish the office of road overseer in counties not under township organization; to provide that county highway commissioner shall perform or cause to be performed the duties of said road overseer; to provide that all moneys collected from road and labor tax in counties not under township organization shall be placed in the county highway fund; to provide that appointment of highway commissioner in all counties under township organization shall be mandatory with the county board; to repeal said original sections; and to repeal Section 32-214, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

LEGISLATIVE BILL NO. 217. By Dunn of Lancaster.

A bill for an Act relating to banks and banking, to provide for transfer of abandoned funds to the permanent school fund of the state, procedure for such transfer, and regulations by the Board of Commissioners of Educational Lands and Funds with reference thereto.

LEGISLATIVE BILL NO. 218. By Committee on Education.

A bill for an Act to amend Section 79-2501, Compiled Statutes of Nebraska, 1929, relating to schools; to prescribe procedure whereby any school district having a population of one thousand inhabitants or more may become a school district classified and functioning under Article 25, Chapter 79, Compiled Statutes of Nebraska, 1929, as amended; and to repeal said original section.

LEGISLATIVE BILL NO. 219. By E. A. Adams of Douglas, Tvrdik of Douglas.

A bill for an Act to amend Section 39-1406, Compiled Statutes of Nebraska for 1929, relating to motor vehicle registration fees; to amend said Section to provide for a different division and use of such fees collected from residents of cities and incorporated villages; and to repeal said original Section 39-1406 as now existing.

LEGISLATIVE BILL NO. 220. By Peterson of Madison.

A bill for an Act to amend Sec. 83-735, Comp. St. Supp., 1937, relating to fees and salaries; to provide fees allowed to commissioners of insanity and examining physicians; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 221. By Peterson of Madison ,Hall of Adams, Gantz of Box Butte, Lambert of Platte.

A bill for an Act relating to motor vehicles, the ownership thereof and other interests therein; providing manner of originating title to motor vehicles by manufacturers and importers; providing for the issuance of certificates of title and related documents concerning title to motor vehicles by treasurers of various counties in accordance with uniform system prescribed by department of roads and irrigation and upon payment of certain fees; providing for recording of liens and encumbrances on motor vehicles on certificate of title; prohibiting sale or transfer of motor vehicles unless accompanied by assignment of certificate of title; establishing rules and regulations and prescribing forms for the issuance of certificate of title and related documents and for the maintenance of records pertaining thereto; prescribing procedure with regard to stolen or converted motor vehicles; providing for distribution of fees collected pursuant to this Act; amending Section 60-325 Compiled Statutes of Nebraska, 1929 and repealing said original Section 60-325 Compiled Statutes of Nebraska, 1929; prescribing penalties for violation of this Act.

LEGISLATIVE BILL NO. 222. By Peterson of Madison, Gross of Cherry.

A bill for an Act to amend Section 20-1121, Compiled Statutes of Nebraska, 1929, relating to civil procedure district court; to provide, upon written request of either party, for submission to the jury of each charge or allegation of negligence made against the defendant in plaintiff's petition as a special finding of fact to be returned by the jury in negligence cases; to provide that said special verdict or finding in all cases must be filed with the clerk of said court and entered upon the journal; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 223. By Peterson of Madison.

A bill for an Act relating to highways; to define U. S. Rural Post Roads; to provide for a Division to be known and designated as U. S. Rural Post Roads Division of the Department of Roads and Irrigation of the State of Nebraska; to provide for the functions of said Division; to provide for a Director of said Division; to provide for receiving funds available for said Division from the U. S. Government and any agency thereof and from the treasury of the state of Nebraska and from the several counties of the state and from the municipalities of the state and from any other source to be used in the construction and mainenance of U. S. Rural Post Roads and bridges thereon located in said state; to provide for the construction and maintenance of farm to market roads; to provide for method of receiving and disbursing such funds; to create a system of U. S. Rural Post Roads of the state of Nebraska; to provide the method of determining the amount of U. S. Rural Post Roads mileage in each county of this state and to provide for the distribution of the funds of this Division accordingly; to empower the State Highway Department of Nebraska in conjunction with the Federal government, county or municipal authorities to make changes, surveys, location and relocation of the U. S. Rural Post Roads; to empower the Department of Roads and Irrigation of Nebraska to enter into contracts with the U. S. Government, its agencies and with proper county authorities and municipal authorities; to empower county authorities and municipal authorities to likewise contract; to fix the duties of procuring the rights-of-way for such roads on the proper county authorities; and to empower the said Department of Roads and Irrigation to make reasonable rules and regulations not inconsistent with the provisions of this Act.

LEGISLATIVE BILL NO. 224. By Howard of McPherson.

A bill for an Act to amend Secs. 39-1036 and 60-307, Comp. St. Supp., 1937, relating to motor vehicles; to require buses carrying passengers for hire; school buses carrying any child or children or vehicles carrying explosive substances or flammable liquids, to stop before crossing at grade any track or tracks of a railroad; to prescribe specifications for number plates to be displayed on the several types of motor vehicle; to repeal said original sections; to repeal Sections 60-501 and 60-502, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

LEGISLATIVE BILL NO. 225. By Tvrdik of Douglas.

A bill for an Act to amend Section 60-328, Compiled Statutes of Nebraska, 1937 Supplement; to provide for compensating fees in addition to registration fees already imposed upon commercial trucks as defined by the laws of the State of Nebraska; to prohibit licensing of any truck with a gross weight in excess of that permitted by the laws of the State of Nebraska; and to repeal said original section.

LEGISLATIVE BILL NO. 226. By Lambert of Platte.

A bill for an Act defining the meaning of the words **Department of Trade and Commerce, Department of Trade and Commerce of the State of Nebraska,** and **Secretary of the Department of Trade and Commerce,** as used in Article 5, Chapter 26, Compiled Statutes of Nebraska, 1929, as amended, providing that the words **Department of Trade and Commerce of the State of Nebraska** when used in said article shall be construed to mean **Department of Banking** and that the words **Secretary of the Department of Trade and Commerce** when used in said article shall be construed to mean **Superintendent of Banks**; providing that the functions and duties heretofore imposed by said article as amended upon said office and officers shall hereafter be performed by the Department of Banking and the Superintendent of Banks; to repeal all acts and parts of acts in conflict therewith; and to declare an emergency.

LEGISLATIVE BILL NO. 227. By Doyle of Greeley.

A bill for an Act relating to bonds of indebtedness; to provide procedure for sale of all bonds of indebtedness of the state of Nebraska or any public corporation or governmental subdivision of the state of Nebraska; to declare the provisions of this Act cumulative; and to declare an emergency.

LEGISLATIVE BILL NO. 228. By Doyle of Greeley.

A bill for an Act for the preservation of the public health; creating a uniform plumbing code for the state of Nebraska; setting forth minimum plumbing requirements; defining the manner in which plumbing systems shall be installed; providing for the administration of said Act, and providing a penalty for the violation thereof.

LEGISLATIVE BILL NO. 229. By Doyle of Greeley.

A bill for an Act to amend Sec. 66-806, Comp. St. Supp., 1937, relating to motor vehicle fuels; to provide that only one inspection fee per month shall be paid upon vehicles registered in Nebraska, which are regularly engaged in the transportation of motor vehicle fuels; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 230. By Gutoski of Douglas.

A bill for an Act relating to county government and officers; to amend Section 26-706, Compiled Statutes of Nebraska, 1929, and Sec. 26-105, Comp. St. Supp., 1937; to require all counties in the State of Nebraska having a population of two hundred thousand or more, to employ or designate and compensate county purchasing agents; to prescribe the powers and duties of said agents when so employed or designated; to provide the manner in which purchases for said county and its officers shall be made; to provide for perpetual inventory of county property by county clerk; to repeal said original sections; to provide penalties for violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 231. By Van Diest of Loup.

A bill for an Act to amend Secs. 77-2534 and 77-2535, Comp. St. Supp., 1937, relating to deposits of public funds; to authorize treasurers of school districts, municipal universities and townships to deposit in banks, funds received or held by them, as such treasurers; to prescribe the condition under which such deposits may be made by such treasurers; to limit the liability of such treasurers and their sureties by reason of such deposits; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 232. By Tvrdik of Douglas, Thomas of Douglas, E. A. Adams of Douglas, Norman of Douglas, Gutoski of Douglas, Klaver of Douglas, John Adams, Jr., of Douglas.

A bill for an Act to amend Sections 32-515, Compiled Statutes Supplement of Nebraska for 1937; 32-903, Compiled Statutes Supplement of Nebraska for 1937; 32-1108, Compiled Statutes Supplement of Nebraska for 1937;32-1806, Compiled Statutes Supplement of Nebraska for 1937; 32-1807, Compiled Statutes Supplement of Nebraska for 1937; 32-1808, Compiled Statutes of Nebraska for 1929; and 32-1809, Compiled Statutes Supplement of Nebraska for 1937, relating to elections and to repeal said original sections.

LEGISLATIVE BILL NO. 233. By Tvrdik of Douglas, Thomas of Douglas, E. A. Adams of Douglas, Norman of Douglas, John Adams, Jr., of Douglas, Gutoski of Douglas, Klaver of Douglas.

A bill for an Act to amend Section 32-1912, Compiled Statutes of Nebraska for 1929, relating to elections and to repeal said original section.

LEGISLATIVE BILL NO. 234. By Tvrdik of Douglas, Norman of Douglas, Sorrell of Otoe. (By request.)

A bill for an Act relating to labor; to regulate the practice and teaching of Horology; creating a State Board of Examiners for Horologists in the Department of Labor; prescribing their duties, powers and compensation; prescribing procedure for carrying out the provisions of this Act; providing penalties for violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 235. By John Adams, Jr., of Douglas, Klaver of Douglas.

A bill for an Act to amend Secs. 66-405, 66-411 and 66-416, Comp. St. Supp., 1937, relating to the excise tax levied on the sale and use of motor vehicle fuels; to provide that, until June 30, 1941, one cent per gallon of said tax of five cents per gallon so levied and collected shall be credited to the State Assistance Fund; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 236. By Klaver of Douglas.

A bill for an Act to amend Sec. 77-2039, Comp. St. Supp., 1937, relating to revenue; to provide that in the foreclosure of real estate by counties for taxes the Court shall cause such real estate to be appraised; to provide that such real estate shall not be sold on such foreclosure sale for less than seventy-five per cent of the amount of the appraisal; to prohibit conspiracy or corrupt practice in bidding at such foreclosure sale; to provide that if evidence of conspiracy or corrupt practice in such bidding is shown to the Court then sale shall be declared null and void and a resale of the real estate ordered; to provide penalties for the violation thereof; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 237. By Mueller of Buffalo.

A bill for an Act to amend Section 77-1921, Compiled Statutes of Nebraska, 1929, relating to revenue; to make such delinquent taxes and special assessments a first lien on the proceeds of any fire, lightning, windstorm, cyclone or tornado insurance policy whenever a loss aggregating forty per cent or more of the insured value of any insured buildings or improvements shall have occurred; to require insurance companies to ascertain and apply the proceeds of such policies to the payment of such taxes and special assessments or to the replacement of such buildings and improvements; providing penalties for violation of this section and a method of recovery; and to repeal said original section.

LEGISLATIVE BILL NO. 238. By Dunn of Lancaster.

A bill for an Act to amend Sec. 68-318, Comp. St. Supp., 1937, relating to public welfare and social security; to provide rules and regulations governing and concerning the qualifications of personnel engaged in administering state assistance through the several counties in the

Board of Control; to provide for the reporting of statistical and accounting information relative to public welfare administration; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 239. By Tvrdik of Douglas.

A bill for an Act to amend Secs. 14-1403 and 14-1411, Comp. St. Supp., 1937, relating to housing authorities in cities of the metropolitan class; to provide five year terms for members of such authorities; to provide that compensation may be paid to members of such authorities for services rendered other than services as members under certain conditions; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 240. By Rossiter of Thurston.

A bill for an Act to repeal Sections 85-220 and 85-221, Compiled Statutes of Nebraska, 1929, relating to the manufacture, purchase, sale and distribution of hog cholera serum and virus by the Board of Regents of the University of Nebraska; and to declare an emergency.

LEGISLATIVE BILL NO. 241. By Tvrdik of Douglas, John Adams, Jr., of Douglas.

A bill for an Act relating to housing; to provide that bonds and other obligations issued by any public housing authority or agency in the United States, when secured by a pledge of annual contributions to be paid by the United States Government, shall be security for public deposits, and legal investments for the State and public officers, municipal corporations, political subdivisions, and public bodies, all banks, bankers, trust companies, savings banks and institutions, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees, and other fiduciaries.

LEGISLATIVE BILL NO. 242. By Tvrdik of Douglas, John Adams, Jr., of Douglas.

A bill for an Act relating to housing; to declare valid and legal the creation and establishment of housing authorities, all bonds, notes, contracts, agreements, obligations and undertakings of such housing authorities, and all proceedings, acts and things heretofore undertaken, performed or done with reference thereto.

LEGISLATIVE BILL NO. 243. By Tvrdik of Douglas, John Adams, Jr., of Douglas.

A bill for an Act to amend Sec. 71-3503, Comp. St. Supp., 1937, relating to cooperation by state public bodies with housing authorities; to define **housing project** to mean any undertaking of a housing authority pursuant to Secs. 14-1401 to 14-1437 or Secs. 19-1101 to 19-1124, Comp. St. Supp., 1937; to authorize cities, towns ,villages, counties, and other public bodies to aid housing projects of housing authorities by furnishing services and entering into agreements for the elimination of unsafe and insanitary dwellings; and to repeal said original section.

LEGISLATIVE BILL NO. 244. By Mischke of Knox.

A bill for an Act relating to islands and lands in the beds of navigable streams and meandered lakes belonging to the state of Nebraska; to provide procedure for the lease or sale of said islands and lands subject to all the terms and conditions of valid and subsisting reciprocity acts of the state of Nebraska with the states of Iowa and South Dakota concerning ceded territory now in force and effect.

LEGISLATIVE BILL NO. 245. By Committee on Claims and Deficiencies.

A bill for an Act relating to state administrative departments; to provide that all of the employees of the Department of Roads and Irrigation shall be insured for liability to third persons arising out of the operation of all motor vehicles used by said department; to provide that cost of such insurance shall be prorated among such employees; to provide procedure for bringing suits under the provisions of this Act; and to declare an emergency.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L. B. No.	Introducer	Committee Reference
138	Committee on Agriculture	Agriculture
139	Committee on Education	Education

140	Committee on Education	Education
141	Klaver, et al	Labor & Public Welfare
142	Garber	Withdrawn for correction.
143	Johnston	Labor & Public Welfare
144	Johnston	Public Works
145	Johnston	Public Works
146	Adams, E. A. et al	Banking, Com. & Ins.
147	Adams, E. A., Rossiter	Banking, Com. & Ins.
148	Gutoski	Public Works
149	Gutoski	Public Works
150	Miller, et al	Government
151	Reavis	Agriculture
152	Van Diest, et al	Education
153	Klaver	Judiciary
154	Herrick	Claims and Deficiencies
155	Mischke, et al	Public Works
156	Thomas	Labor & Public Welfare
157	Thomas	Judiciary
158	Neubauer, et al	Education
159	Klaver	Labor & Public Welfare
160	Norman, et al	Government
161	John Adams, Jr.	Labor & Public Welfare
162	John Adams, Jr.	Labor & Public Welfare
163	John Adams, Jr.	Labor & Public Welfare
164	Committee on Appropriations	Appropriations
165	Reavis	Government
166	Reavis	Government
167	Reavis	Government
168	Mekota	Public Works
169	Miller, Thornton	Public Works
170	Thornton, Miller	Public Works
171	Mekota, Gantz	Judiciary
172	Judiciary Committee	Judiciary
173	Reavis	Claims and Deficiencies
174	Gantz	Government
175	Mischke	Agriculture
176	Callan	Public Works

177	Mekota	Labor & Public Welfare
178	Diers	Government
179	Committee on Education	Education
180	Ashmore, et al	Public Health & Misc. Subs.
181	Mueller, Klaver	Labor & Public Welfare
182	Craven	Judiciary
183	Miller	Public Health & Misc. Subs.
184	Garber	Public Works
185	Murphy	Public Works
186	Dunn, Neubauer	Judiciary
187	Doyle	Revenue
188	Doyle	Public Works
189	Doyle	Government
190	Reavis	Revenue
191	Howard	Education
192	Howard, et al	Public Works
193	Hall	Judiciary
194	Doyle	Public Works
195	Tvrdik, Norman	Labor & Public Welfare
196	Van Diest	Education
197	Murphy	Public Works
198	Rossiter	Banking, Com. & Ins.
199	Herrick, et al	Public Works
200	Klaver	Judiciary
201	Hall	Government

GENERAL FILE

Mr. Ashmore presiding.

LEGISLATIVE BILL NO. 22. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Sixteenth Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 5. Read and considered.

Motion prevailed to add the name of Emil E. Brodecky as co-introducer.

Motion by Miller to indefinitely postpone.

Substitute motion by Tvrdik to report progress.

The substitute motion prevailed.

LEGISLATIVE BILL NO. 32. Retains place on file.

LEGISLATIVE BILL NO. 39. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 35. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Eighteenth Day were adopted.

By unanimous consent the letter "s" was added to the first word of the second quotation of said amendment.

Motion by Reavis to refer to E and R for review.

Substitute motion by Mekota to indefinitely postpone.

The substitute motion was lost with 8 ayes, 26 nays, 9 not voting, and the original motion prevailed.

Referred to E and R for review.

LEGISLATIVE BILL NO. 27. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Eighteenth Day were adopted.

Referred to E and R for review.

President Johnson presiding.

Invitation

An invitation was extended to the members of the Legislature, their wives and certain others to attend an informal party at the

Governor's Mansion on Wednesday evening, February Fifteenth from eight to eleven-thirty.

Adjournment

Mr. Klaver moved to adjourn until 9:00 a. m. Tuesday, January 31, 1939.

Mr. Miller offered a substitute motion to adjourn until 9:00 a. m. Monday.

The substitute motion prevailed and the Legislature adjourned at 11:48 a. m.

Hugo F. Srb
Clerk of the Legislature.

TWENTIETH DAY

Legislative Chamber,
Lincoln, Nebraska, January 30, 1939

The Legislature met at 9:15 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Nineteenth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Van Diest, four, opposing the present automobile testing law, one, opposing the regulation of motor trucks and the itinerant merchants law; Mr. Murphy, two, opposing the income tax measure, one, opposing the Anti-picketing law; Mr. Thornton, one, opposing the Anti-picketing law and the automobile testing law; Mr. Sorrell one, favoring the reduction of bonds for register of deeds in counties having less than 100,000 inhabitants; Mr. Carsten, one, favoring a measure to make the Louisville bridge toll free, one, opposing L. B. No. 63; Mr. Hall, one, favoring the Safety Patrol Law; Mr. Carlson, one, favoring the Safety Patrol law, one opposing any change in the use of the gasoline tax funds; Mr. Ashmore, one, favoring modification of the law relating to beavers; Mr. Hastings, one, requesting the inspection of all motor oils brought into the State of Nebraska, one, favoring a bill to require tax assessment of notes, bonds, etc. in order to be enforcible; Mr. Thomas, one, approving a measure to reduce freight rates.

Communications

A letter was read from the Brotherhood of Locomotive Engineers and others, designating Mr. Riley F. Warren as their authorized representative.

Invitation

A letter was read from the Louisville Chamber of Commerce extending an invitation to the members of the Legislature to visit the Ash Grove Cement Mill and the Kahler Pottery Plant, Saturday, February 4th and to have luncheon with the Chamber of Commerce at the Louisville Hotel at 12:30 p. m.

On motion, the invitation was accepted.

NOTICE OF COMMITTEE HEARINGS

Public Works

L. B. No. 50, Friday, February 3, 1939, 2:00 p. m.

L. B. No. 76, Friday, February 3, 1939, 2:00 p. m.

L. B. No. 95, Friday, February 3, 1939, 2:00 p. m.

L. B. No. 96, Friday, February 3, 1939, 2:00 p. m.

L. B. No. 109, Friday, February 3, 1939, 2:00 p. m.

Appropriations

L. B. No. 164, Monday, February 6, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL NO. 49. Placed on General File.

LEGISLATIVE BILL NO. 59. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 59:

1. Amend the original bill, Pages 2 and 3, Section 1 (Page 2, Section 1, lines 18 to 26, inclusive, of the printed bill) by striking commencing with the word **"In"** in line 24 on said Page 2 thereon down to and including the word and punctuation **"elsewhere."** line 34 on Page 3 thereon.

2. Amend the original bill, Page 1, Title (Page 1, Title, lines 10 and 11 of the printed bill) by striking commencing with the preposition "to" in line 16 of said Title down to and including the word and punctuation "municipalities;" in line 18 of said Title.

LEGISLATIVE BILL NO. 31. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 31:

1. Amend the original bill, Page 2, Section 1, line 14 (Page 1, Section 1, line 10 of the printed bill) by inserting after the word "Tuesday" and before the preposition "after" the words **"in January"**.

2. Amend the original bill, Page 2, Section 1, line 17 (Page 1, Section 1, line 12 of the printed bill) by inserting after the word "shall" and before the word "proceed" the words **"at said meeting or the first adjourned meeting thereafter."**

3. Amend the original bill, Page 2, Section 1, line 25 (Page 1, Section 1, line 18 of the printed bill) by adding as a new sentence after the word and punctuation "qualified." the words and punctuation **"Any vacancy shall be filled by appointment by the remaining supervisors."**.

4. Amend the original bill, Page 1, Title, line 7 (Page 1, Title, line 4 of the printed bill) by inserting after the word and punctuation "terms;" and before the conjunction "and" the words and punctuation **"to provide for the filling of said vacancies in said offices;"**.

(Signed) Von Seggern, Chairman

SELECT COMMITTEE REPORT

Committee on Committees

Mr. President: Your Committee on Committees, to whom was referred the nomination of Dr. M. M. Sullivan of Spalding, as a member of the state Game, Forestation and Parks Commission, recommend that the appointment be confirmed.

(Signed) Murphy, Chairman

The report was adopted.

MOTION—To Confirm Appointment

Mr. President: I move that the appointment of Dr. Sullivan to the Game, Forestation and Parks Commission be confirmed. (Signed) Miller.

Voting in the affirmative, 41:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Westley

Voting in the negative, 0.

Not voting, 2:

Lambert
Von Seggern

The motion prevailed and the appointment was confirmed.

RESOLUTIONS

Mr. Miller called up Legislative Resolution No. 7, to investigate the Department of Insurance, and moved its adoption.

Substitute Motion

Mr. President: I move the resolution of Dr. Miller to investigate the state Insurance Department be referred to the proper standing committee to investigate and determine whether or not there appears to be sufficient grounds for such an investigation, and report its conclusion and recommendation to the Legislature. (Signed) Thomas.

After discussion Mr. Ashmore moved the previous question, and the substitute motion prevailed.

Mr. Klaver presiding.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 246. By Craven of Lancaster.

A bill for an Act to amend Section 20-1401, Compiled Statutes of Nebraska, 1929, relating to survival and abatement of causes of action; to repeal said original section; to repeal Section 20-1402, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

LEGISLATIVE BILL NO. 247. By Craven of Lancaster.

A bill for an Act relating to revenue; to provide that all property of every public power district shall be assessed and taxed in the manner provided by law for the assessment and taxation of privately owned public utilities; and to declare an emergency.

LEGISLATIVE BILL NO. 248. By Craven of Lancaster.

A bill for an Act to amend Section 42-201, Compiled Statutes of Nebraska, 1929, relating to husband and wife; to define the contractual liability of a married woman; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 249. By Craven of Lancaster.

A bill for an Act to amend Section 22-1004, Compiled Statutes of Nebraska, 1929, relating to civil procedure municipal court; to provide the time within which judgments shall be rendered in cases tried in municipal courts; and to repeal said original section.

LEGISLATIVE BILL NO. 250. By Craven of Lancaster (By request).

A bill for an Act relating to election of county commissioners; to provide that election of county commissioner shall be by district in counties having less than one hundred fifty thousand population; to amend section 26-133, Compiled Statutes of Nebraska, Supplement 1937, and to repeal said original section 26-133 Compiled Statutes of Nebraska, Supplement 1937.

LEGISLATIVE BILL NO. 251. By Craven of Lancaster.

A bill for an Act to amend Sec. 22-102, Comp. St. Supp., 1937; to amend Section 22-103, Compiled Statutes of Nebraska, 1929, relating to courts; to provide for the filling of any vacancy in the office of judge of the municipal court by election except when the unexpired term does not exceed two years, in which case said vacancy shall be filled by appointment of the Governor; to provide the quaifications of candidates for judges of the municipal court; and to repeal said original sections.

LEGISLATIVE BILL NO. 252. By Craven of Lancaster.

A bill for an Act to amend Section 20-1151, Compiled Statutes of Nebraska, 1929, relating to civil procedure district court; to provide that in all actions brought to recover damages for injuries to a person or to his property caused by the negligence of another, that all questions of negligence and contributory negligence and the comparison thereof shall be deemed questions of fact and not questions of law and shall be for the sole exclusive consideration and of the sole and exclusive determination by the jury; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 253. By Craven of Lancaster.

A bill for an Act to amend Sec. 60-428, Comp. St. Supp., 1937, relating to motor vehicles; to provide that the Director of Motor Vehicles, shall be empowered to cancel surrendered licenses on file in his office only when said surrendered licenses shall have been forwarded to him for such purpose when they accompany certified copies of judgments of conviction from courts of competent jurisdiction; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 254. By Craven of Lancaster.

A bill for an Act to amend Section 22-702, Compiled Statutes of Nebraska, 1929, relating to civil procedure, municipal courts; to provide for adjournments of causes pending in municipal courts; and to repeal said original section.

LEGISLATIVE BILL NO. 255. By Craven of Lancaster.

A bill for an Act to amend Sec. 39-1034, Comp. St. Supp., 1937, relating to highways and bridges; to provide for the issuance by the

Department of Roads and Irrigation of special permits for vehicles and objects traveling upon public highways where such vehicles and objects exceed the limitations as to height, width, length or weight as provided by law; and to repeal said original section.

LEGISLATIVE BILL NO. 256. By Hall of Adams.

A bill for an Act relating to motor vehicles; to provide that school buses used for the transportation of school children shall be painted in the national colors; to prohibit owner of vehicle used for other than transportation of school children to paint or designate a vehicle in manner prescribed for vehicles transporting school children; to provide penalties for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 257. By Hall of Adams.

A bill for an Act to amend Secs. 8-129 and 8-130, Comp. St. Supp., 1937, relating to banks and banking; to require banks to make not less than three reports during each year to the Department of Banking; to provide for the contents and the manner of the publication of said reports; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 258. By Reavis of Richardson.

A bill for an Act to amend Section 81-5102, C. S. Supp. 1937, relating to installment investment companies.

LEGISLATIVE BILL NO. 259. By Ernest A. Adams of Douglas, Hall of Adams.

A bill for an Act relating to the regulation, supervision and control of insurance agents, solicitors, brokers and branch managers of insurance companies; to amend Sec. 44-1126, Comp. St. Supp., 1937; and to declare an emergency.

LEGISLATIVE BILL NO. 260. By Dunn of Lancaster.

A bill for an Act relating to insurance; to provide procedure for the liquidation of domestic assessment hail insurance companies; and to declare an emergency.

LEGISLATIVE BILL NO. 261. By Dunn of Lancaster.

A bill for an Act to amend Sec. 66-309, Comp. St. Supp., 1937, relating to oil inspection; to prohibit the sale of motor vehicle fuel at retail or wholesale at a different price than the posted price on the date of sale; to prescribe penalties for the violation thereof; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 262. By Dunn of Lancaster, Craven of Lancaster, Reed of Lancaster.

A bill for an Act relating to county government; to permit the county commissioners of counties of more than sixty thousand population and less than two hundred thousand population to establish a special fund for the payment of workmen's compensation claims against the county; to permit transfer from the county general fund to this special fund of not more than five thousand dollars each fiscal year; to limit the size of the compensation fund to a maximum of fifty thousand dollars; and to declare an emergency.

LEGISLATIVE BILL NO. 263. By Dunn of Lancaster, Craven of Lancaster, Reed of Lancaster.

A bill for an Act to amend Sec. 77-2218, Comp. St. Supp., 1937, relating to revenue; to provide that inheritance tax money now in the hands of the county treasurer or hereafter collected by the county treasurer in counties having a population of more than sixty thousand and less than two hundred thousand inhabitants, up to and including March 1, 1941, shall be credited and shall inure to the general fund of such counties, and, during said period shall be expended solely for the relief of worthy, incapacitated, indigent persons; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 264. By Dunn of Lancaster.

A bill for an Act relating to revenue; to provide that any payments which have heretofore been made under the provisions of Section 1, Chapter 156, Session Laws of Nebraska, 1935 and under Section 1, Chapter 15, Session Laws of Nebraska, 1935, special, shall be construed to be payment under the provisions of Chapter 167, Session Laws of Nebraska, 1937, as amended by Legislative Bill No. ...., Nebraska State Legislature, Fifty-third Session, 1939; to direct that county treasurers of the several counties shall administer said payments as such; and to declare an emergency.

LEGISLATIVE BILL NO. 265. By Dunn of Lancaster.

A bill for an Act to amend Sec. 68-404, Comp. St. Supp., 1937, relating to public welfare and social security; to provide that recipients of blind assistance shall be paid thirty dollars absolutely every month less average prospective monthly income, computed as provided by law; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 266. By Dunn of Lancaster.

A bill for an Act to amend Sec. 27-601, Comp. St. Supp., 1937, relating to fiduciaries; to prescribe that certificates of deposit or savings accounts in national or state banks where the full amount of the principal of such deposit or account is insured by the Federal Deposit Insurance Corporation shall be deemed and authorized legal investment by said fiduciary in the absence of express instructions in the instrument creating the fiduciary relationship; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 267. By Craven of Lancaster.

A bill for an Act to amend Section 20-317, Compiled Statutes of Nebraska, 1929, relating to court procedure, district court; to provide when joinder of defendants may be allowed; and to repeal said original section.

LEGISLATIVE BILL NO. 268. By Craven of Lancaster.

A bill for an Act to amend Sections 20-1142 and 20-1143, Compiled Statutes of Nebraska, 1929, relating to civil procedure district court in matters of motion for new trial; to define new trial, and to enumerate the grounds for new trial; to prescribe how and when motion and application for new trial may be made; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 269. By Van Diest of Loup.

A bill for an Act relating to the development of minerals, oil and gas resources on or contained in land belonging to the State, in order to raise revenue for the State University and normal schools; to provide the issuance of state warrants for said development against the permanent school trust funds for investment in the Nebraska State Treasury; and to declare an emergency.

LEGISLATIVE BILL NO. 270. By Dunn of Lancaster.

A bill for an Act to amend Secs. 43-513 and 43-515, Comp. St. Supp., 1937, relating to public welfare, public health and social security; to provide that if the funds for the payment of assistance with respect to dependent children shall at any time become insufficient to pay the full amount of such assistance for each dependent child entitled thereto, then the amount for each child shall be reduced pro rata; to provide if the assistance payments so made to said children are not properly managed or applied that the payments shall be ordered made to some other relative or qualified person as defined by law; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 271. By Dunn of Lancaster.

A bill for an Act to amend Section 5 of Chapter 108 of the Session Laws, 1937, being Section 48-705, Compiled Statutes Supplement, 1937, and part of the Unemployment Compensation Law, to provide for disqualification of individuals for benefits thereunder on account of a voluntary leaving of work, a discharge from work for misconduct, a refusal of suitable work, unemployment during strikes and labor disputes, unemployment due to acts of God, fires or other catastrophes, unemployment of customarily self-employed persons, unemployment due to disciplinary action, unemployment of student employees, unemployment of employers regularly earning $150.00 per month or more for ten of the twelve past months, and earning $35.00 per week or more for forty-five out of the past fifty-two weeks, and discontinuation of employment of females by reason of marriage; and to amend Section 3 of Chapter 108 of the Session Laws, 1937, being Section 48-703, Compiled Statutes Supplement, 1937, and part of the Unemployment Compensation Law, by adding to said Section sub-section (f) to provide for the determination by the Commissioner of seasonal industries and occupations in such industries, and for the rights to benefits, conditions required for payment of benefits, duration of benefits and amount of benefits for individuals employed in such seasonal industries or occupations in such industries; to repeal said original Section 5 and said original Section 3; and to declare an emergency.

LEGISLATIVE BILL NO. 272. By Reed of Lancaster, Van Diest of Loup.

A bill for an Act relating to live stock; to provide for slaughter of cattle infected with Bang's disease with official reimbursement to owner by State of Nebraska; to establish rules and regulations as to the testing for Bang's disease of all cattle entering the State of Nebraska; and to declare an emergency.

LEGISLATIVE BILL NO. 273. By Van Diest of Loup, Howard of McPherson, Reed of Lancaster.

A bill for an Act to amend Section 17-528 Compiled Statutes of Nebraska, 1929, relating to the construction of sewers and materials to be used therein in cities of the second class and villages, to repeal said original section and to declare an emergency.

LEGISLATIVE BILL NO. 274. By Hastings of Polk.

A bill for an Act to amend Section 62-1802, Compiled Statutes of Nebraska, 1929.

LEGISLATIVE BILL NO. 275. By Reavis of Richardson.

A bill for an Act to amend Article 7, Chapter 19, Compiled Statutes of Nebraska, 1929, relating to the exercise of the power of eminent domain by cities of the first or second class for acquiring public utilities properties; to provide for the exercise of such powers by all cities and villages; to repeal said original Article 7, Chapter 19, Compiled Statutes of Nebraska, 1929, and to declare an emergency.

LEGISLATIVE BILL NO. 276. By Carsten of Cass.

A bill for an Act to amend Sec. 70-707, Comp. St. Supp., 1937, relating to power districts and corporations; to provide that in the exercise of eminent domain, land shall be condemned only along section and half section lines; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 277. By Carsten of Cass.

A bill for an Act to amend Sec. 2-1905, Comp. St. Supp., 1937, relating to agriculture; to provide that petitions asking that soil conservation district be organized, shall be signed by not less than ten per cent of the owners of land within such proposed district; to repeal said original section; and to repeal Sec. 2-1909, Comp. St. Supp., 1937; and to declare an emergency.

LEGISLATIVE BILL NO. 278. By Carsten of Cass.

A bill for an Act to amend Secs. 2-1111, 2-1113, 2-1115 and 2-1116, Comp. St. Supp., 1937, relating to agriculture; to abolish farm bureau organizations; to provide for the election of county extension boards and to prescribe their duties and powers; to abolish provision for discontinuance of extension work by petition; to repeal said original sections; to repeal Sec. 2-1112, Comp. St. Supp., 1937; and to declare an emergency.

LEGISLATIVE BILL NO. 279. By Dunn of Lancaster.

A bill for an Act to amend Secs. 48-120, 48-145 and 48-147, Comp. St. Supp., 1937, relating to labor; to provide rules and regulations pertaining to medical and hospital services to employees for which employers are liable; to provide the manner of reporting accidents and settlements to the Compensation Court; to provide the requisite provisions of policies of insurance against liability arising under the Workmen's Compensation Law; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 280. By Dunn of Lancaster.

A bill for an Act authorizing any building and loan association to procure and terminate insurance of its shares with the Federal Savings and Loan Insurance Corporation; ratifying and confirming the actions of building and loan associations heretofore taken in procuring such insurance; and to declare an emergency.

LEGISLATIVE BILL NO. 281. By Dunn of Lancaster.

A bill for an Act to amend Section 44-328, Compiled Statutes of Nebraska, 1929, relating to insurance; to prescribe procedure for the licensing of insurance agents; fixing a penalty for the violation thereof; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 282. By Gross of Cherry, Howard of McPherson.

A bill for an Act relating to livestock; to establish the livestock sanitary board of Nebraska; and to provide for the suppression and control of dangerous, contagious, infectious and otherwise transmissible disease of domestic animals; and to provide penalties for the violation thereof.

LEGISLATIVE BILL NO. 283. By Brady of Holt.

A bill for an Act to amend Sec. 60-701, Comp. St. Supp., 1937, relating to motor carriers of live stock; to stipulate the statements in permits authorizing said carriers to move live stock with respect to brands; to provide that said permits in the case of live stock shipments originating west of the Missouri river, if any, shall designate the brands therein; and to repeal said original section.

LEGISLATIVE BILL NO. 284. By Thornton of Jefferson.

A bill for an Act to amend Sec. 33-114, Comp. St. Supp., 1937, relating to fees and salaries; to establish fees received by county clerk as ex-officio register of deeds in filing decree in probate proceedings as provided in 33-1302, Compiled Statutes of Nebraska, 1929; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 285. By Von Seggern of Cuming, Mekota of Saline, Reavis of Richardson.

A bill for an Act to repeal Sections 84-107 and 84-108, Compiled Statutes of Nebraska, 1929, relating to state law enforcement; to abolish the office of state sheriff; and to declare an emergency.

LEGISLATIVE BILL NO. 286. By Von Seggern of Cuming, Mekota of Saline, Reavis of Richardson.

A bill for an Act to amend Secs. 60-418 and 60-423, Comp. St. Supp., 1937, relating to Highway Safety and Patrol; to provide that no subordinate officers, captains, sergeants, patrolmen and such other employees appointed to offices or positions on said patrol shall be discharged except upon written notice and public hearing if requested; to provide that said patrol, upon request and with the sanction of the Director of Motor Vehicles as the chief officer thereof, shall assist local law enforcement officers of cities, villages or counties to enforce the general criminal laws of the state; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 287. By Diers of York.

A bill for an Act relating to agriculture; to provide that every person engaged in the business of buying, selling or dealing in grain shall be licensed by the Department of Agriculture and Inspection; to establish rules and regulations as to testing, sampling, weighing and grading of all grain; to provide rules and regulations as to bookkeeping; to provide penalty for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 288. By Diers of York.

A bill for an Act to amend Sec. 68-284, Comp. St. Supp., 1937, relating to public welfare and social security; to provide for the levy and collection of a per capita tax of two dollars upon every male and female inhabitant of Nebraska between the ages of twenty-one and sixty-five years who is sane and is not a public charge as a poor person, for the purposes of the state assistance fund; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 289. By Diers of York, Johnston of Hall.

A bill for an Act to amend Sec. 54-1404, Comp. St. Supp., 1937, relating to live stock; to prescribe the penal sum of the bond required to be given by applicants for license to operate live stock sales rings; to prohibit weighmasters from weighing stock owned by them or in which they may be financially interested; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 290. By Hastings of Polk.

A bill for an Act to amend Sections 16-302 and 16-304, Compiled Statutes of Nebraska, 1929, relating to cities of the first class having a population of more than five thousand and less than twenty-five thousand inhabitants; to provide for the appointment of water commissioners by the mayor and council of such cities; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 291. By Hastings of Polk.

A bill for an Act to amend Sections 32-409, 32-805, 32-806 and 37-917, Compiled Statutes of Nebraska, 1929; to amend Secs. 26-220, 32-406, 32-802 and 32-1203, Comp. St. Supp., 1937; relating to elections; to provide that excuse from service on election board shall be obtained from county clerk; to provide time limit for mailing absentee ballot; to provide destruction of absentee ballot if not prepared in strict accordance with law; to provide for voting before election by person who will be absent on day of election; to provide for appointment of road overseer in counties under township organization; to provide for filling vacancies of judges or clerks of elections by county clerk; to abolish postage fee for absentee ballot; to provide for filling vacancy in nomination to office of county judge or county superintendent when more than one petition is filed; to provide for selection of delegates to county conventions other than by primary election; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 292. By Von Seggern of Cuming (By request).

A bill for an Act to amend Sections 2-101 and 2-102 of the Compiled Statutes of Nebraska for 1929 and as thereafter amended, relating to the State Board of Agriculture; its method of selection and election; the powers and duties of said board; the method and manner of selection of its officers; the terms and compensation of such officers and members of said board; the powers and duties of said officers; to abolish the now existing State Board of Agriculture; to declare an emergency and effective date of Act; and to repeal said original Sections.

LEGISLATIVE BILL NO. 293. By Hall of Adams.

A bill for an Act to amend Section 30-115, Compiled Statutes of Nebraska, 1929; relating to decedents' estates; to define advancements; to provide that debts owed to a decedent, whether testate or intestate, by an heir, devisee or legatee, if not paid to the executor or administrator, shall be deemed advancements and shall be retained out of personal estate or charged against real estate devised or bequeathed to or inherited by the debtor; and to repeal said original section.

LEGISLATIVE BILL NO. 294. By Hall of Adams.

A bill for an Act relating to municipal corporations; to grant power and authority to all second class cities, and villages, in the state of Nebraska to fix and determine the rates to be charged for electrical energy for heat, power, lighting or other purposes sold within their corporate limits by either private or public authority.

LEGISLATIVE BILL NO. 295. By Hall of Adams.

A bill for an Act to amend Section 8-152, Compiled Statutes of Nebraska, 1929, relating to banks and banking; to require written property statements on loans of five hundred dollars or more; and to repeal said original section.

LEGISLATIVE BILL NO. 296. By Hall of Adams.

A bill for an Act to amend Section 16-219, Compiled Statutes of Nebraska, 1929, relating to municipal corporations; to provide that the local governing body of cities of the first class having a population of more than five thousand inhabitants and less than twenty-five thousand inhabitants, may classify the several offices and positions of trust or employment in the public service on the basis of merit through such agency as said local governing body shall provide for that purpose; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 297. By Hastings of Polk, Mueller of Buffalo, Ernest A. Adams of Douglas, Thornton of Jefferson.

A bill for an Act to amend Sec. 72-707, Comp. St. Supp., 1937, relating to the custody and permanent care of the State Capitol, its grounds, its furniture and equipment therein; to designate, from and after the effective date of this Act, the secretary of the Board of Educational Lands and Funds as the custodian thereof; to define his duties in connection therewith; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 298. By Mischke of Knox.

A bill for an Act to amend Sections 54-934 and 54-935, Compiled Statutes of Nebraska, 1929, relating to live stock; to provide that rendering establishments shall furnish surety bonds; to provide for licensing all persons transporting bodies of dead animals to rendering establishments; to provide regulations as to container used to transport such bodies; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 299. By Gantz of Box Butte.

A bill for an Act relating to natural resources, authorizing the leasing for oil, gas, and other hydrocarbons of the real property of the estates of decedents, minors, and incompetent persons; to prescribe the conditions upon which such leases may be made and the procedure to be followed; to validate all such leases heretofore made unless suit to cancel is brought within six months; to repeal all laws, or parts of laws, in conflict herewith; and to declare an emergency.

LEGISLATIVE BILL NO. 300. By Gantz of Box Butte.

A bill for an Act to amend Section 76-502, Compiled Statutes of Nebraska, 1929, relating to escheats; to provide that corporations incorporated under the laws of any other state of the United States of America and doing business in this state may acquire, own, hold, or operate leases for oil, gas, or other hydrocarbons for a period as long as ten years and as long thereafter as oil, gas, or other hydrocarbons shall or can be produced in commercial quantities; to provide that such corporations actually engaged in prospecting and drilling for, or producing, oil, gas, or other hydrocarbon substances in this state may acquire and own in fee, or lease for any period, such real estate as may be necessary for such activities, including camp sites, tank farms, pump stations and other structures incidental to the production, treating, storage, and disposal of said products; to repeal said original Section; and to declare an emergency.

LEGISLATIVE BILL NO. 301. By Gantz of Box Butte.

A bill for an Act to repeal Sections 57-207, 57-208 and 57-209, Compiled Statutes of Nebraska, 1929, relating to leasee's obligations under oil, gas and mineral leases; and to declare an emergency.

LEGISLATIVE BILL NO. 302. By Tvrdik of Douglas.

A bill for an Act to amend Section 32-1815, Compiled Statutes of Nebraska, 1929, relating to elections in counties having a population of more than 150,000 inhabitants; to provide the time of the payment of the expense of holding and conducting city, municipality, metropolitan utilities district or school district elections to the county board of such county to reimburse the election commissioner for the expenses incident to conducting any of said elections; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 303. By Johnson of Dodge.

A bill for an Act relating to county government and officers; to empower county boards to acquire by gift or purchase objects of historical interest; and to provide for their care and preservation.

LEGISLATIVE BILL NO. 304. By Johnson of Dodge.

A bill for an Act to amend Section 8-308, Compiled Statutes of Nebraska, 1929, relating to building and loan associations; to provide for investment in and withdrawal from shares of building and loan associations by minors over the age of fourteen years; to provide for investment in, holding, transfer, and withdrawal, from shares in building and loan associations by trustees, guardians, executors and administrators; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 305. By Johnson of Dodge.

A bill for an Act relating to libraries; to provide for a Library Certification Board; to prescribe its rights, powers and duties; to provide for the certification of librarians; to establish the Library Certification Board Fund, to provide for its management and to protect the estimated accruals from fees earned and its unexpended balances from appropriation or reappropriation either by the State Board of Equalization and Assessment or by the Legislature, save and except for the use and purposes of this Act; to amend Sec. 77-1007, Comp. St. Supp., 1937, eliminating entirely the receipts and fees, estimated or unappropriated, credited to or to be credited to said fund in making the levy of state taxes in any taxing period; and to repeal said original section.

LEGISLATIVE BILL NO. 306. By Howard of McPherson.

A bill for an Act relating to revenue; to define terms; to provide for a tax of two mills on each ton-mile travelled by Diesel trucks; to provide for collection thereof; to provide that the owner of any Diesel truck shall obtain license from Department of Agriculture and Inspection; to provide fee for same; to provide method of computing ton-miles; to provide procedure for collecting tax from owners of Diesel trucks operating in this state but registered in another state; to provide for disposition of moneys so collected; to provide penalties; and to declare an emergency.

LEGISLATIVE BILL NO. 307. By Brady of Holt.

A bill for an Act to amend Secs. 81-101, 81-102 and 81-103, Comp. St. Supp., 1937; to amend Sec. 8-1,122, Comp. St. Supp., 1937, relating to state administrative departments; to merge and consolidate, from and after the effective date of this Act, the functions, powers and duties of the Department of Insurance with the Department of Banking; to fix the compensation of the Superintendent of Banks for performing the combined duties of Director of the Department of Insurance together with the duties imposed upon him as Superintendent of Banks; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 308. By Brady of Holt.

A bill for an Act to amend Secs. 81-101, 81-102 and 81-103, Comp.

St. Supp., 1937, relating to state administrative departments; to merge and consolidate, from and after the effective date of this Act, the functions, powers and duties, of the Department of Labor with the Compensation Court; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 309. By Howard of McPherson, Van Diest of Loup, Gross of Cherry, Gantz of Box Butte, Ashmore of Hayes.

A bill for an Act relating to livestock; to establish a brand inspection area within this State; to create the Nebraska Brand Inspection Commission, and to provide for the appointment, qualifications, powers, duties and responsibilities of its members; to provide for the inspection of brands of cattle, horses and mules shipped out of the brand inspection area; to provide for the inspection of such animals at sale rings; to provide for the inspection of brands of such animals at open markets and to define open markets; to provide for the sale of estrays which have been shipped to an open market; to require persons butchering cattle within the brand inspection area to keep a record of the brands of such cattle and to report such brands to the Nebraska Brand Inspection Commission; to provide for a brand inspection tax; to provide penalties for the violation of this Act; to appropriate fees collected from the brand inspection tax to the use of the Nebraska Brand Inspection Commission; to repeal Sections 54-709 and 54-710, Compiled Statutes of Nebraska for 1929 (Supplement for 1937); and to declare an emergency.

LEGISLATIVE BILL NO. 310. By Craven of Lancaster, Johnston of Hall.

A bill for an Act to amend Sec. 70-702, Comp. St. Supp., 1937, relating to public power and irrigation districts; to fix the boundaries of and the area to be included within the Loup River Public Power District, the Platte Valley Public Power and Irrigation District and the Central Nebraska Public Power and Irrigation District; to make the area of said districts, and each of them coextensive with the combined area of the counties in which said districts have lines for the transmission of electric energy; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 311. By Mischke of Knox.

A bill for an Act relating to revenue; to provide for payment of delinquent property taxes in installments and to provide procedure therefor; to declare the provisions of this Act cumulative with and supplemental to Article 19, Chapter 77, Compiled Statutes of Nebraska, 1929, and Comp. St. Supp., 1937; and to declare an emergency.

LEGISLATIVE BILL NO. 312. By Herrick of Frontier, Howard of McPherson, Gross of Cherry, Miller of Kimball.

A bill for an Act relating to schools; specifically to appropriate the sum of twenty-five thousand dollars or so much thereof as may be necessary, for the purpose of constructing, equipping and furnishing a dormitory for boys on the campus of the Nebraska School of Agriculture at Curtis, Nebraska; to provide that the amount herein specifically appropriated shall be contingent upon the Board of Regents, University of Nebraska, receiving a grant from the Works Progress Administration of the United States of America to aid in the construction of said dormitory; and to declare an emergency.

LEGISLATIVE BILL NO. 313. By Craven of Lancaster, Brady of Holt.

A bill for an Act to amend Section 44-204, Compiled Statutes of Nebraska, 1929, relating to insurance, delinquent insurance companies, the liquidation of insurance companies, and proceedings in and for the liquidation of insurance companies; to provide that it shall be cause for the department of insurance, or any policy holder or creditor, to apply to the district court, or any judge thereof, to take over an insurance company if said insurance company by contract of re-insurance, or otherwise, transfers or attempts to transfer substantially its entire property or business, or enters into any transaction the effect of which is to merge substantially its entire property or business in the property or business of another company without first having obtained an order of approval of the district court of the county wherein it has its principal office and place of business, after a full hearing; to provide that the department of insurance can take only temporary possession of an insolvent insurance company or a company that has violated the law; to provide that insurance companies shall be liquidated by a judicial receiver, appointed by the court, who shall qualify by giving a good and sufficient bond, conditioned as directed by the court; to provide that the receiver of an insolvent insurance company may re-insure said company or enter into a contract for servicing its business with a reliable company, if ordered to do so by the court and if said re-insurance or servicing contract is beneficial to the policy holders, members, creditors, stockholders and the public; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 314. By Rossiter of Thurston, Hall of Adams.

A bill for an Act to amend Secs. 76-906, 76-910, 76-912 and 76-920, Comp. St. Supp., 1937, relating to real estate brokers; to provide the number of assistants permitted or allowed to be employed by the Real Estate Commissioner; to provide for the contents of the application for applicants desiring to act as real estate brokers or real estate salesmen; to require said applicants to pass a written examination before said commissioner to ascertain said applicants' fitness for engaging in the real estate business; to provide that all the funds, collected and unappropriated in the **State Real Estate Commissioner's Fund** in excess of one thousand dollars as of January 1, 1939, and as of January first in each year thereafter, in accordance with such appropriation as the Legislature may provide from time to time, shall be used by said commissioner for the purpose of advertising the State of Nebraska by signs, circulars, newspaper advertising or such other forms of advertising as he shall deem best to serve the interests of said state; to provide penalty for acting or attempting to act as a real estate broker or real estate salesman after revocation of license; and to repeal said original sections.

LEGISLATIVE BILL NO. 315. By Herrick of Frontier.

A bill for an Act to amend Sec. 79-1003, Comp. St. Supp., 1937, relating to schools; to provide for annual levies in county high school districts; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 316. By Craven of Lancaster.

A bill for an Act relating to the dairy industry; to amend Secs. 81-1001, 81-1002, 81-1004, 81-1006, 81-1007, 81-1010, 81-1011, 81-1012 and 81-1013, Comp. St. Supp., 1937, abolishing the office of Chief of Bureau of Dairies, Foods and Drugs and all procedure connected therewith; defining the terms used in this Act and in such industry; defining certain dairy products and fixing grades and standards thereof; defining milk, skimmed milk and cream; establishing rules of structure and sanitation in relation to all property used in buying, shipping, or manufacturing cream and butter or either of the same; requiring branding and state inspection of certain utensils and property used in such industry; fixing conduct in relation to buying prices; authorizing the Director of the Department of Agriculture and Inspection to make rules and regulations for carrying out the provisions of this Act and of that portion of Article 10, Chapter 81, Compiled Statutes of Nebraska, 1929, which is not herein amended, and all acts amendatory thereof and supplemental thereto; to provide rules and regulations for the testing of milk and cream; to require the posting of the prices offered or to be paid for cream and butterfat; to require the keeping of records subject to public inspection and dates on or at which changes in such prices are made and posted and of the tests made of each lot of cream or milk purchased or sold; to provide for issuance on satisfactory examinations of testers and other licenses and permits, fees to be paid and conditions in applications therefor and display thereof in sight of patrons; to make all necessary examinations and to formulate and promulgate such reasonable rules and regulations as may be deemed necessary to enforce promptly and effectively the provisions of such acts and said article; defining offenses in such industry; defining violations of the provisions hereof and providing penalties for such offenses and violations; to repeal said original sections; to repeal Secs. 81-1036, 81-1037, 81-1038, 81-1039, 81-1040, 81-1041, 81-1042 and 81-1043, Comp. St. Supp., 1937; and to declare an emergency.

LEGISLATIVE BILL NO. 317. By Herrick of Frontier.

A bill for an Act to amend Section 39-821, Compiled Statutes of Nebraska, 1929, relating to bridge maintenance and construction over irrigation and drainage ditches of public irrigation and drainage districts, public power districts, public irrigation districts, and public power and irrigation districts organized as public corporations under the laws of this state; to provide for the construction, maintenance and repair of bridges and approaches on highways crossed by any irrigation ditch, drainage ditch, lateral or canal by the public drainage district, public irrigation district, or public power, public irrigation, or public power and irrigation districts organized as public corporations under the laws of this state, owning the same; and to repeal said original section.

LEGISLATIVE BILL NO. 318. By Gantz of Box Butte, Johnson of Dodge, Mekota of Saline.

A bill for an Act relating to real property; to validate instruments affecting real estate.

LEGISLATIVE BILL NO. 319. By Gantz of Box Butte.

A bill for an Act to amend Sec. 60-328, Comp. St. Supp., 1937, relating to motor vehicles; to prescribe the registration fees to be paid on farm or local trucks; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 320. By Gantz of Box Butte.

A bill for an Act to amend Sections 16-228 and 17-454, Compiled Statutes of Nebraska, 1929, relating to the government and acts of municipal corporations; to empower the local governing bodies of cities of the first class having a population of more than five thousand and less than twenty-five thousand inhabitants, cities of the second class having a population of more than one thousand and less than five thousand inhabitants and villages to regulate interference with radio reception by ordinance; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 321. By Brodecky of Colfax.

A bill for an Act relating to milk and the dairy industry; requiring handlers and other milk dealers and distributors to furnish bonds and financial statements, or either of the same, for the protection of producers of milk; providing penalties, procedure and equitable relief for the violation of this act; and repealing any and all acts and parts of acts in conflict therewith.

LEGISLATIVE BILL NO. 322. By Lambert of Platte.

A bill for an Act to repeal Secs. 66-802, 66-805, 66-806, 66-807 and 66-810, Comp. St. Supp., 1937, establishing ports of entry; and to declare an emergency.

LEGISLATIVE BILL NO. 323. By Lambert of Platte.

A bill for an Act to amend Sec. 12-119, Comp. St. Supp., 1937, relating to official bonds and oaths; to fix the penalties in the bonds given by county judges in the several counties of the state; and to repeal said original section.

LEGISLATIVE BILL NO. 324. By Miller of Kimball, Diers of York, Gantz of Box Butte, Thomas of Douglas.

A bill for an Act to amend Sections 32-1102, 32-1110, 32-1140, 32-1164, and 32-1173, Compiled Statutes of Nebraska, 1929, relating to primary elections; to define terms used in elections and primary elections; to provide for the election of delegates to county conventions; to provide for the holding of pre-primary conventions and post-primary conventions; to prescribe the manner of endorsing of candidates by conventions; to provide for the placing of such endorsements on primary ballots and the preparation of such ballots; to establish the rule for voting in both district and state conventions; to provide a constitutionality clause; and to repeal said original sections.

LEGISLATIVE BILL NO. 325. By Miller of Kimball.

A bill for an Act to amend Sec. 50-113, Comp. St. Supp., 1937, relating to the Legislature; to fix the compensation of the clerk of the Legislature, in connection with and as a part of the consolidation of the several agencies rendering services to the Legislature; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 326. By Miller of Kimball.

A bill for an Act to amend Sections 50-402, 50-404, and 50-407, Compiled Statutes of Nebraska for 1929; to repeal said original sections; to repeal Section 50-406, Compiled Statutes of Nebraska for 1929; to amend Sections 50-501, 50-503, and 50-508, 1937 Cumulative Supplement to the Compiled Statutes of Nebraska; to repeal said original sections; to provide for the transfer of the activities engaged in and the powers bestowed upon the Legislative Reference Bureau to the Legislative Council, so far as said duties pertain to services to be rendered for or in connection with the Legislature and so far as the same relate to drafting Legislative bills, resolutions and measures required by the Legislature during any of its sessions; and to declare an emergency.

LEGISLATIVE BILL NO. 327. By Miller of Kimball.

A bill for an Act relating to the Legislature; to merge and consolidate all present legislative service agencies in the interest of economy and efficiency; to create and establish the Nebraska Legislative Reference Bureau a legislative legal service and legal publication section and a library research and miscellaneous publication section, which includes editing, publishing and distributing the Nebraska Blue Book; to provide that the principal office of the bureau shall be located in the State Capitol building in quarters, conveniently near the Legislature and permanently assigned and occupied jointly with the Legislative Council; to provide that the work of said bureau and of said council shall be carried out pursuant to a common plan, wherever feasible, with the joint use of equipment, assistants and other employed personnel; to provide that the library section of the bureau shall remain and continue to function as a section of the library of the University of Nebraska until further order of the Legislature; to place certain specific duties upon the Board of Regents of the University of Nebraska with respect to the future housing and maintenance of the quarters and housing of said bureau's library section in consideration of services which said library section renders and will continue to render the faculty and students of said university; to vest the executive and administrative work of the bureau in both of its sections and future activities in a non-partisan officer of the Legislature, called General Counsel and Director; to prescribe his qualifications, duties, manner of appointment, tenure, bond, oath and procedure for his removal; to prohibit said director from becoming a candidate for any office while holding his said office; to prescribe and limit the extent of director's regular staff and temporary assistants in administering both sections of bureau's work; to provide for an assistant director for said bureau and to define the duties required of said assistant; to require biennial reports of bureau's works, their scope and method of dissemination; to insure that all matters of legislative concern committed to the bureau by legislators and others shall be considered privileged communications, neither to be revealed or published by bureau officers, agents or servants; to provide that biennial cumulative supplements to statutes, session laws of the Legislature, legislative bill-drafting and related legislative service, pamphlet partial publications of state offices and agencies may be prepared, edited and published under the guidance and supervision of the bureau's directors as the Legislature shall direct; to provide that the bureau shall cooperate with similar agencies in other states to attain uniformity of legislation in the several states; to require the director of the bureau in cooperation with the proper committee of the Nebraska State Bar Association, the Clerk of the Supreme Court and the Legislative Council to survey and report such plan as agreed among them for revision of the Nebraska statutes for the consideration of the Legislature at the opening of its regular session in 1941; to amend Sections 50-401, 50-402, 50-405, 50-406, 84-502 and 81-410, Compiled Statutes of Nebraska, 1929; to repeal said original sections; to repeal Sections 50-404 and 50-407, Compiled Statutes of Nebraska, 1929; to provide a saving clause; and to declare an emergency.

LEGISLATIVE BILL NO. 328. By Miller of Kimball.

A bill for an Act to amend Sections 50-114, 49-501, 49-502, 49-504, 49-506 and 49-508, Compiled Statutes of Nebraska, 1929, relating to the Legislature; to provide for the distribution of all session laws and legislative journals through the Clerk of the Supreme Court, acting as state librarian, in the interest of economy and efficiency as part of the plan to merge and consolidate agencies now rendering service incidental to the work of the Legislature; to limit the number of session laws and legislative journals to be printed during any biennium in view of the number of volumes probably required to supply the demand therefor; to repeal said original sections; to repeal Sections 49-503 and 49-505, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

LEGISLATIVE BILL NO. 329. By Miller of Kimball.

A bill for an Act to amend Sections 10 and 13, Article VII, and Section 5, Article XVII, Constitution of the State of Nebraska, relating to a Nebraska State Board of Higher Education.

LEGISLATIVE BILL NO. 330. By Murphy of Scotts Bluff, Dunn of Lancaster.

A bill for an Act to amend Section 74-818, Compiled Statutes of Nebraska, 1929, regulating the issuance of free transportation by railroads, and to repeal said original section.

LEGISLATIVE BILL NO. 331. By Miller of Kimball.

A bill for an Act to amend Sections 66-301, 66-302, 66-303, 66-304, 66-305, 66-307, 66-318, 66-402, 66-403, 66-404, 66-408, 66-414, 66-423, 66-425, 66-701, 66-810, C. S. Supp., 1933; and to amend Sections 66-319, 66-422, 66-424, 66-425, 66-427, 66-802, 66-803, 66-804, 66-805, 66-806, 66-807, 66-810, C. S. Supp., 1935; and to amend Sections 66-405, 66-808, 66-812, 66-813, 66-814, 66-815, 66-816, 66-817, C. S. Supp., 1937, relating to motor fuel; to create a Division of Motor Fuels in the Department of Agriculture and Inspection and to create the office of the Director of Motor Fuels as the head of such Division; to terminate all power, duties and rights of the Department of Agriculture and Inspection over motor vehicle fuels as provided in Articles 3, 4, 7, and 8, Chapter 66, C. S. Supp., 1933, as amended C. S. Supp., 1935, as amended C. S. Supp., 1937; and to delegate those powers, duties, and rights to the Division of Motor Fuels, the Director, his assistant, and subordinates, relating to administration and enforcement of all laws governing the sale, distribution, transportation, importation and use of motor vehicle fuels, the collection of registration load fees and barrel inspection fees on motor vehicle fuels, collection of taxes, and use thereof by Division of Motor Fuels; to repeal said original sections; to repeal Section 66-421, C. S. Supp., 1933, and Section 66-822, C. S. Supp., 1937; and to declare an emergency.

LEGISLATIVE BILL NO. 332. By Johnson of Dodge, Gantz of Box Butte, Diers of York, Mekota of Saline, Thomas of Douglas, Reavis of Richardson.

A bill for an Act to amend Section 30-205, Compiled Statutes of Nebraska, 1929, relating to decedents' estates; to provide rules of construction with respect to wills executed without this state for the purpose of promoting uniformity of law among the states with respect to foreign executed wills; and to repeal said original section.

LEGISLATIVE BILL NO. 333. By Miller of Kimball, Murphy of Scotts Bluff.

A bill for an Act relating to agriculture; providing for the compulsory inspection and grading of potatoes; establishing certain grades and standards; to provide for the collection of fees arising under this Act; to provide for the enforcement and administration of the provisions of this Act by the Director of the Department of Agriculture and Inspection; to empower said director to establish grades of potatoes; to prohibit the deceptive pack thereof; to provide for the branding of bags of potatoes as to grades; to provide for a system of licensing the commercial buyers of potatoes and fixing the amount of bond to be given by said buyers; to empower said director to enter into an agreement or agreements with the United States Department of Agriculture in conformity with the grades of potatoes as promulgated and established by said United States Department of Agriculture; to provide for the employment of potato inspectors and for their compensation; to provide for the payment of other expenses necessary to administer this Act; to provide penalties for the violation thereof; to repeal Sections 89-146, 89-147, 89-148, 89-149, 89-151, 89-152, 89-153, 89-154, 89-155, 89-156, 89-157 and 89-158, Compiled Statutes of Nebraska, 1929; and to repeal Sec. 89-150, Comp. St. Supp., 1937.

LEGISLATIVE BILL NO. 334. By Murphy of Scotts Bluff, Howard of McPherson.

A bill for an Act to amend Sec. 54-1409, Comp. St. Supp., 1937, relating to live stock; to provide that licensees operating live stock sales rings shall furnish an adequate amount of feed and water from time of arrival of live stock to time of sale thereof; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 335. By Murphy of Scotts Bluff (By request).

A bill for an Act for the condemnation, cancellation, and annulment of all rights of priority in and preference to the use of water from the Platte River heretofore acquired or claimed by the owners of, and all other parties using water from, the Kearney Canal, described in Docket 1023 of the Records of the Department of Roads and Irrigation, which diverts water from said river in Buffalo County, Nebraska over others diverting water from said river above the headgate of said canal, and for the ascertainment and payment of all damages resulting from the condemnation, cancellation and annulment of said rights.

LEGISLATIVE BILL NO. 336. By Brodecky of Colfax, Sorrell of Otoe, Carsten of Cass.

A bill for an Act relating to county government and officers; to provide for establishment of rural fire protection districts and to establish procedure therefor; to provide for hearing on same; to provide for officers of said districts and to establish their districts; to provide for preparation of budget by officers and directors; to provide for tax levy of one-half mill on the dollar per annum upon all assessable property in each district; to provide for borrowing money and limit on such; to provide for levying and collection of such tax; to provide method of paying out money collected; to provide for cooperation and consolidation with other districts or municipalities; to provide for interest on unpaid warrants; to provide a savings clause; and to declare an emergency.

LEGISLATIVE BILL NO. 337. By Miller of Kimball.

A bill for an Act to amend Section 32-2001, Compiled Statutes of the state of Nebraska of 1929 relating to the expenditures by or for candidates for public office.

LEGISLATIVE BILL NO. 338. By Rossiter of Thurston, Schultz of Antelope.

A bill for an Act to amend Sec. 68-326, Comp. St. Supp., 1937, relating to the State Assistance Fund; to remove the county treasurers from membership on County Assistance Committee; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 339. By Miller of Kimball.

A bill for an Act to amend Sec. 20, Article IV; to amend Sec. 3, Article XVII; to amend Sec. 19, Article III, Constitution of Nebraska, 1875, and the several amendments thereto, including the amendments proposed by the Constitutional Convention of 1919-1920, and adopted at a special election held on the 21st day of September, 1920, and including amendments thereto adopted at general elections held in November, 1930, 1934 and 1936, relating to the State Railway Commission; to abolish said commission; and to create and substitute for it the Nebraska Public Utilities Commission; to repeal said original sections, if adopted; and to prescribe the time when said amendment, if adopted, shall take effect.

LEGISLATIVE BILL NO. 340. By Gantz of Box Butte.

A bill for an Act to repeal Sections 76-243, 76-245, 76-248, 76-249, 76-250, 76-260, 76-266 and 76-272, Compiled Statutes of Nebraska, 1929; to repeal Sec. 76-271, Comp. St. Supp., 1937, relating to instruments affecting real estate; and to provide a saving clause.

LEGISLATIVE BILL NO. 341. By Van Diest of Loup, Hastings of Polk, Johnston of Hall.

A bill for an Act to amend Sections 26-1807 and 26-1809, Compiled Statutes of Nebraska, 1929, relating to bounties; to provide the bounty hereafter to be paid by the State of Nebraska for the killing of crows; to prescribe procedure for obtaining payment of such bounty; to repeal said original section and declare an emergency.

LEGISLATIVE BILL NO. 342. By Klaver of Douglas (By request).

A bill for an Act to amend Section 48-174, Comp. St. Supp., 1937, relating to procedure and appeal to the district court of workmen's compensation cases; to provide that an appeal shall be had directly to the district court from an award or finding of one of the judges of the compensation court; to provide for the manner of perfecting such appeal to the district court; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 343. By Craven of Lancaster.

A bill for an Act to amend Section 48-133 of the 1937 Cumulative Supplement to the Compiled Statutes of Nebraska, 1929; and to provide that claims for compensation both in pending and in future cases may be made within one year from the occurrence of the injury for which compensation is sought; and to repeal said original Section 48-133 of the 1937 Cumulative Supplement to the Compiled Statutes of Nebraska, 1929; and to declare an emergency.

LEGISLATIVE BILL NO. 344. By Westley of Butler, Neubauer of Harlan, Van Diest of Loup.

A bill for an Act relating to and regulating the manufacture and sale of frozen desserts; regulating the manner of issuing and revoking licenses in reference thereto; prescribing regulations for the conduct of such business; defining frozen desserts; regulating weights thereof; prohibiting the sale of imitations; to amend Sec. 81-903, Comp. St. Supp., 1937; providing a penalty for the violation of this Act; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 345. By Van Diest of Loup (By request).

A bill for an Act relating to county government and officers; to provide that county boards of two or more counties having a population of five thousand or less may appoint one person to serve as county surveyor for such counties; to provide that the person so appointed shall have the same powers and duties as are prescribed for county surveyors in such counties; to provide that such person shall be a civil engineer; to amend Section 26-1601, Compiled Statutes of Nebraska, 1929; and Sec. 32-209, Comp. St. Supp., 1937; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 346. By Van Diest of Loup (By request).

A bill for an Act to amend Section 26-1601, Compiled Statutes of Nebraska, 1929, relating to county government and officers; to provide that in all counties having a population of twenty thousand inhabitants or more, the county surveyor shall be ex-officio county engineer; and to repeal said original section.

LEGISLATIVE BILL NO. 347. By Van Diest of Loup (By request).

A bill for an Act to amend Sections 17-414 and 17-423, Compiled Statutes of Nebraska, 1929, relating to municipal corporations; to provide that, in cities of the second class and villages, the original owner or the proprietor of any tract or parcel of land, sought to be subdivided, shall subdivide the same into two or more parts for the purpose of laying out the original town or of annexing any addition thereto; to provide that plats must be filed contemporaneously with deeds of dedication before such or said deeds shall be recorded; to repeal said original sections; and declare an emergency.

LEGISLATIVE BILL NO. 348. By Doyle of Greeley.

A bill for an Act to amend Section 39-1314, Compiled Statutes of Nebraska, 1929, relating to highways and bridges; to provide penalty for failure of county highway commissioner to have rural mail route cleared of snow upon notification by any rural mail carrier or postmaster, or persons served by rural mail route; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 349. By Craven of Lancaster.

A bill for an Act to amend Section 20-304, Compiled Statutes of Nebraska, 1929, relating to civil procedure district court, designating parties to action, employment of attorney, officers, executors, trustees, assignees, agent, and plaintiffs authorized by statute; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 350. By Doyle of Greeley.

A bill for an Act to amend Secs. 39-1034 and 39-1035, Comp. St. Supp., 1937, relating to regulations of the road and its use for travel; to provide the time of expiration for special permits as to the dimensions of motor vehicles using the highways of the state of Nebraska; to provide rules and regulations with respect to wheel and axle loads; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 351. By Doyle of Greeley.

A bill for an Act to amend Secs. 68-402 and 68-404, Comp. St. Supp., 1937, relating to public welfare and social security; to provide that blind assistance shall be available to every needy blind person as long as he shall retain legal residence in the State of Nebraska; to prescribe procedure for investigation and hearing upon applications for blind assistance; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 352. By Johnston of Hall, Hastings of Polk, Mueller of Buffalo.

A bill for an Act to amend Section 16-670, Compiled Statutes of Nebraska, 1929, relating to cities of the first class having a population of not less than five thousand inhabitants nor more than twenty-five thousand inhabitants; to fix and determine the limitation on bond issues for the purpose of constructing or aiding in the construction of the city hall, jail, auditorium buildings for the fire department and other public buildings in an amount not exceeding the sum of three hundred thousand dollars; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 353. By Mekota of Saline.

A bill for an Act to amend Sec. 81-5522, Comp. St. Supp., 1937, relating to fire inspection and prevention; to provide for the payment of an annual tax on premium incomes, with certain deductions, of fire associations and reciprocal exchanges, casualty insurance companies, associations and reciprocal exchanges writing fire insurance on motor vehicles, doing business in one-third or more of the counties in the State of Nebraska for the purpose of maintaining the department of the state fire marshal; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 354. By Mekota of Saline.

A bill for an Act to amend Section 44-1512, Compiled Statutes of Nebraska, 1929, relating to insurance; to prescribe the fees which attorneys, by or through whom any policies or contracts for reciprocal insurance are written in the State of Nebraska, shall pay said state for filing each annual statement required to be filed by such insurers, for the examination thereof and for issuing certificate of authority; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 355. By Thomas of Douglas, Brady of Holt, Diers of York.

A bill for an Act relating to revenue; to provide methods of listing tangible and intangible property for purposes of taxation; to provide certificates of ownership shall be used by any person in connection with interest on bonds of domestic or foreign corporations; to be returned to the county assessor of the county in which the owner resides; to provide for checking inventories filed for estates for personal property, tangible and intangible, to determine if said personal property shall have been returned for taxation purposes; to prescribe procedure for filing claims against estates of deceased persons for the year or years that payment of taxes by them shall have been avoided; to require foreign corporations, any of whose stock is owned by residents of this state, to qualify in the office of the secretary of state and thereafter to report to the Tax Commissioner a list of their resident share holders; to prescribe the duties of the county judge, the county treasurer and the Tax Commissioner with respect to the administration of this Act; to declare that the provisions of this Act shall be cumulative with and supplemental to existing laws on the same subject; to state a saving clause; to amend Section 77-304, Compiled Statutes of Nebraska, 1929; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 356. By John Adams, Jr. of Douglas.

A bill for an Act to amend Section 75-232, Compiled Statutes, Supp. 1937 of Nebraska, to regulate transportation of passengers and property by motor carriers in intrastate commerce upon the public highways of Nebraska; to confer upon the State Railway Commission jurisdiction and power to administer and enforce all the provisions of this Act and to prescribe rules and regulations; to provide for the issuance of a certificate or permit when it is shown to the satisfaction of the Commission that a motor carrier has been denied surety bonds or policies of insurance because of race, creed or color and to amend Section 75-232, Compiled Statutes, Supp. 1937 of Nebraska.

LEGISLATIVE BILL NO. 357. By Rossiter of Thurston.

A bill for an Act to amend Sec. 79-2101, Comp. St. Supp., 1937, relating to schools; to provide procedure for the transfer of children from one school district to another; to provide that, upon the parent or guardian of such children notifying the county superintendent of their purpose to transfer their said children from one district to another, that said county superintendent shall at the same time of giving notice to the county clerk of the fact of such transfer, also notify the fee simple owner of the real estate involved in such transfer, the name of said fee simple owner to be determined by the records in the office of the county clerk or the register of deeds of the county in which the land is situated, as the case may be; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 358. By Sorrell (By request).

A bill for an Act relating to beer and alcoholic liquors; to provide that it shall be unlawful for any person to consume alcoholic liquor in any place where beer is sold and to provide a penalty for violation thereof; to provide that it shall be unlawful for any minor to misrepresent his or her age for the purpose of inducing a licensed dealer of beer or alcoholic liquor to sell beer or alcoholic liquor to such minor and to provide a penalty for violation thereof; to provide that the matter contained in Sections One and Two of this Act is cumulative to existing provisions of the laws of the State of Nebraska; to amend Section 53-326, Subdivision 5 thereof, Compiled Statutes of Nebraska, Supplement 1937, and to repeal said original Subdivision 5, Section 53-326, Compiled Statutes of Nebraska, Supplement 1937; and to provide a savings clause.

LEGISLATIVE BILL NO. 359. By Sorrell of Otoe, Miller of Kimball, Herrick of Frontier, Schultz of Antelope.

A bill for an Act for a resolution to amend Section 1 of Article VIII of the Constitution of the State of Nebraska, 1875, and the several amendments thereto, including the amendments proposed by the Constitutional Convention of 1919-1920, and adopted at the special election held on the 21st day of September, 1920, relating to revenue as follows:

LEGISLATIVE BILL NO. 360. By Sorrell of Otoe (By request).

A bill for an Act to amend Sec. 26-751, Comp. St. Supp., 1937, relating to county government and officers; to define terms, "road houses", "dance halls" and "amusement parks"; to provide that no private club outside the limits of any incorporated city or village shall be conducted or operated without a license so to do having been first obtained from the county board; to provide penalties for the violation thereof; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 361. By Sorrell of Otoe.

A bill for an Act to amend Sections 20-2183, 20-2184 and 20-2185, Compiled Statutes of Nebraska, 1929, relating to civil procedure, district court; to provide for the employment of real estate broker or brokers to assist referees in sales ordered upon partition of real property; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 362. By John Adams, Jr. of Douglas.

A bill for an Act relating to the assignment of wages; to provide that a contract or agreement for the sale, assignment of wages or earnings of the head of a family shall be void unless executed by both the husband and wife; to provide that no person, firm, corporation, company, partnership or business institution shall cause any employer, by any such void assignment, to withhold the payment of any wages due the head of a family; to provide penalties for the violation thereof; and to amend section 36-203, 1929 Compiled Statutes of Nebraska and repeal said original section.

LEGISLATIVE BILL NO. 363. By Peterson of Madison.

A bill for an Act to amend Section 20-408, Compiled Statutes of Nebraska, 1929, relating to venue of action against non-residents and foreign insurance companies; and to repeal said original section.

LEGISLATIVE BILL NO. 364. By Peterson of Madison.

A bill for an Act to amend Section 40-105, Compiled Statutes of Nebraska, 1929, relating to homesteads; to provide for hearing in the district court of county where property is located on the question of whether or not such property is a homestead; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 365. By Peterson of Madison.

A bill for an Act to amend Section 24-1329, Compiled Statutes of Nebraska for 1929, relating to co-operative companies.

LEGISLATIVE BILL NO. 366. By Peterson of Madison.

A bill for an Act to amend Section 38-505, Compiled Statutes of Nebraska, 1929, relating to guardian and ward; to provide for filing and allowance of claims against estate of ward in like manner as required with respect to the estate of a deceased person; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 367. By Peterson of Madison.

A bill for an Act to amend Sec. 53-331, Comp. St. Supp., 1937, relating to liquors; to provide for the maximum proof content of all alcoholic liquors, except for non-beverage purposes; to prohibit the sale thereof in cases of less or more than defined as a case; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 368. By Peterson of Madison.

A bill for an Act relating to liquors; to provide that no license of any retail liquor dealer shall be renewed by the Nebraska Liquor Control Commission unless all delinquent accounts with distributors shall have been paid or adjusted in accordance with Sec. 53-329 Comp. St. Supp., 1937; and to declare an emergency.

LEGISLATIVE BILL NO. 369. By Gutoski of Douglas, Hastings of Polk.

A bill for an Act to amend Section 69-111, Compiled Statutes for 1929, relating to chattel mortgages.

LEGISLATIVE BILL NO. 370. By Gutoski of Douglas, Schultz of Antelope, Mueller of Buffalo, Ernest A. Adams of Douglas, Rossiter of Thurston.

A bill for an Act to amend Section 71-3101, Compiled Statutes of Nebraska, 1929, relating to public health and welfare; to provide that within thirty days from the effective date of this Act the state auditor shall assume and have all of the powers and duties and shall take possession of all of the books, personal property, and funds relating to wrestling and boxing matches as set out in Article 31, Chapter 71, Compiled Statutes of Nebraska 1929, as amended by Sections 1 and 2, Legislative Bill No....., Fifty-third Session, Legislature of Nebraska, 1939; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 371. By John Adams, Jr. of Douglas.

A bill for an Act to amend Sections 53-329, 53-338 and 53-355, C. S. Supplement Nebraska, 1937, relating to alcoholic liquors; to prohibit retail liquor dealers from accepting money, credit, free goods, secret discounts, discriminatory discounts or anything of value from wholesale liquor dealers and to prohibit wholesale liquor dealers from giving the same; to prohibit the gift of alcoholic liquor by licensees to any person, including minors, incompetents, and certain Indians and prohibiting treating or house drinks by retail licensees and the use of alcoholic liquor as prizes and in contests and providing for reports of manufacturers and distributors of alcoholic liquor to the Nebraska Liquor Control Commission and providing for credit to manufacturers and distributors of alcoholic liquor for stamps upon original packages damaged or broken while in transit upon the approval of the commission and for the allowance of such credit in either stamps or cash, and providing penalties for the violation thereof, and to repeal said original sections and to declare an emergency.

LEGISLATIVE BILL NO. 372. By Gutoski of Douglas.

A bill for an Act to amend Sections 20-1601, 20-1604, 20-1608, 20-1609, 20-1613, 20-1614, 20-1615, 20-1617, 20-1618, 20-1619, 20-1620, 20-1622, 20-1623, 20-1629, 20-1630, 20-1631, 20-1633, 20-1636, 29-1401, 29-1407, 29-1408 and 29-1419, Compiled Statutes of Nebraska, 1929; to amend Secs. 20-1603 and 20-1605, Comp. St. Supp., 1937, relating to civil and criminal procedure, to provide for the qualifications and selection of grand jurors; to provide for alternate grand jurors; to provide for a special prosecutor to act before grand juries in certain cases; to provide for an official reporter for such grand jury in certain cases; to provide penalties; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 373. By Klaver of Douglas, Tvrdik of Douglas, Thomas of Douglas, Norman of Douglas.

A bill for an Act to amend Section 14-1002 of the Compiled Statutes of Nebraska, 1929, relating to the powers of Metropolitan Water or Utilities Districts, and providing that persons claiming to have been injured by improper or defective or dangerous stop-boxes or manholes shall have no cause of action against said districts unless notice of the dangerous condition shall have been filed with said districts at least five days before the injury, and unless notice describing the accident shall be filed with said districts within ten days after such accident; and to repeal said original section.

LEGISLATIVE BILL NO. 374. By Klaver of Douglas, Tvrdik of Douglas, Thomas of Douglas, Norman of Douglas.

A bill for an Act to amend Sections 14-1003, 14-1028, 14-1103, 14-1104, of the Compiled Statutes of Nebraska, 1929, relating to

Metropolitan Utilities Districts; (and) providing for the election of directors of such districts, and for the adoption of rules and regulations by such districts and the effect thereof, and extending the grant of powers heretofore conferred so the same shall apply to any utility under the management and control of such districts; and removing the limitation on the power to borrow; and to repeal said original sections.

LEGISLATIVE BILL NO. 375. By Klaver of Douglas.

A bill for an Act to amend Section 22-301, Compiled Statutes of Nebraska, 1929, relating to civil procedure, municipal courts; to provide procedure for commencement of suits in such courts; and to repeal said original section.

LEGISLATIVE BILL NO. 376. By Herrick of Frontier.

A bill for an Act to amend Sec. 33-130, Comp. St. Supp., 1937, relating to fees and salaries; to provide for clerk hire for county superintendent; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 377. By Diers of York, Howard of McPherson, Gantz of Box Butte.

A bill for an Act to amend Sections 66-405 and 66-416, Compiled Statutes of Nebraska, Supplement, 1933, and to amend said Sections as amended by Sections 1 and 2, Chapter 16, Session Laws of Nebraska, Extraordinary Session, 1935, and Section 3, Chapter 16, Session Laws of Nebraska, Extraordinary Session, 1935, and Section 66-411, Compiled Statutes of Nebraska, Supplement, 1933 (1935), **as amended by Sections and , Chapter , Session Laws of Nebraska, 1937,** relating to motor vehicle fuels taxes and to the distribution and use thereof; to repeal said original sections; to impose a tax of five cents per gallon on motor vehicle fuels until June 30, 1939 **1941,** and four cents per gallon thereafter; to provide that dealers' sworn statements shall be prima facie evidence of the facts therein stated; to provide that until June 30, 1939 **from July 1, 1939 until June 30, 1941,** 10 per cent **fifteen (15) per cent** of the proceeds of the tax on motor vehicle fuels imposed hereby shall be credited and shall inure to the State Assistance Fund of this state, and 30 per cent **twenty-six (26) per cent** be transferred to the various County Treasurers and the remainder be transferred to the Department of Roads and Irrigation under Section 66-411, as amended herein and that after June 30, 1939 **1941,** three eighths (⅜) of the four-cent tax shall be transferred to such County Treasurers and the remainder to said Department for the uses and purposes specified in said section; to designate the Gasoline Highway Fund as the Gasoline Tax Fund; and to declare an emergency.

LEGISLATIVE BILL NO. 378. By Garber of Webster.

A bill for an Act to amend Sections 32-212, Compiled Statutes of Nebraska, 1929, relating to elections; to provide that, in cities of the second class, having a population of more than one thousand inhabitants and three thousand inhabitants ,or less, shall elect precinct assessors therein at the general November election; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 379. By Klaver of Douglas.

A bill for an Act to amend Sec. 20-406, Comp. St. Supp., 1937, relating to civil procedure, district court; to lay the venue in civil actions; for tort against trucking companies; and to repeal said original section.

LEGISLATIVE BILL NO. 380. By Klaver of Douglas.

A bill for an Act relating to insurance; to limit legal investments of companies engaging therein; to prohibit such companies from owning, controlling or having any investments in any radio station or stations; to provide penalties for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 381. By Klaver of Douglas.

A bill for an Act to amend Section 44-346, Compiled Statutes of Nebraska, 1929, relating to insurance; to provide for the allowance and taxation of an attorney's fee in addition to the amount of recovery in certain actions at law upon any policy of life, accident, liability, sickness, guaranty, fidelity, automobile, engine, elevator, burglary or other insurance of a similar nature, or upon any certificate issued by a fraternal beneficiary association, upon rendering judgment against such company and in favor of the beneficiary or other person entitled thereto; and to repeal said original section.

LEGISLATIVE BILL NO. 382. By Norman of Douglas, Tvrdik of Douglas, Gutoski of Douglas.

A bill for an Act relating to crimes and punishments; to prohibit any sheriff, deputy sheriff, sheriff's employe, constable, police officer, police surgeon, police department employe, city prosecutor or coroner's physician recommending or suggesting the employment of any particular attorney in certain cases; and providing a penalty for violation thereof.

LEGISLATIVE BILL NO. 383. By Norman of Douglas, Tvrdik of Douglas.

A bill for an Act to amend Sec. 70-706 Comp. St. Supp., 1937, relating to public power and irrigation districts; to provide conditions and restrictions for the acquisition by any such district of municipal and other electric light or power plants or systems specified in this Act; and to repeal said original section.

LEGISLATIVE BILL NO. 384. By Norman of Douglas, Tvrdik of Douglas.

A bill for an Act to amend Section 20-1106, Compiled Statutes of Nebraska, 1929, relating to civil procedure, district court; to grant the right to the adverse litigant to examine each juror with reference to any possible relationship existing between such juror and the indemnitor of the other party, said indemnitor not being a party to the action; and to repeal said original section.

LEGISLATIVE BILL NO. 385. By Klaver of Douglas.

A bill for an Act to amend Sec. 53-390, Comp. St. Supp., 1937, relating to liquors; to provide procedure for appeals from final orders of the Nebraska Liquor Control Commission; and to repeal said original section.

LEGISLATIVE BILL NO. 386. By Von Seggern of Cuming.

A bill for an Act to amend Secs. 39-1036 and 60-328, Comp. St. Supp., 1937, relating to regulations of the road and its use for travel; to classify trucks of farmers and others, not generally travelling the highways save and except to move from the job on one farm to the next job on another farm, used for hire, profit or gain, carrying a gross load of four thousand pounds or less, upon which are permanently mounted machines or mechanical devices used exclusively in agricultural pursuits so that the number plates, in addition to county and registration number shall carry the letter "G;" to prescribe the annual registration fee for said truck so classified; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 387. By Klaver of Douglas.

A bill for an Act relating to revenue; to impose an occupation tax upon common carriers doing business within this state; and to declare an emergency.

LEGISLATIVE BILL NO. 388. By Tvrdik of Douglas, Klaver of Douglas, Gutoski of Douglas, Thomas of Douglas, John Adams, Jr. of Douglas, Norman of Douglas, Ernest A. Adams of Douglas.

A bill for an Act to amend Section 18-1005 of the Compiled Statutes of Nebraska, 1929, relating to public utility districts of cities, villages, metropolitan water districts and metropolitan utilities districts; to provide that the special assesments or special taxes of metropolitan utilities districts shall bear interest at the rate of not less than three (3) per cent nor more than six (6) per cent per annum prior to delinquency, as determined from time to time by the board of directors of said districts, and seven (7) per cent per annum after delinquency, and to repeal said original section.

LEGISLATIVE BILL NO. 389. By Doyle of Greeley.

A bill for an Act to amend Secs. 68-258, 68-260, 68-268 and 68-274, Comp. St. Supp., 1937, relating to public welfare and social security; to provide that every needy person while retaining his legal residence in the state of Nebraska shall be eligible to receive Old Age Assistance if such persons be found to be qualified under the laws governing the same; to provide procedure for investigation of applications for old age assistance; to prescribe the method by which the amount of assistance to be paid any recipients thereof, is determined; to provide procedure for securing reimbursement from the estates of recipients of old age assistance; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 390. By Doyle of Greeley.

A bill for an Act to amend Sec. 68-324, Comp. St. Supp., 1937, relating to State Assistance Fund; to provide for its division among assistance activities until June 30, 1941; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 391. By Mueller of Buffalo.

A bill for an Act to amend Section 70-702, Compiled Statutes Supplement, 1937 (Section 2, Chapter 152, Session Laws of Nebraska, 1937), relating to public power and irrigation districts; to provide that such districts shall not be formed within, or their power plants, lines or systems extend into or within cities or villages operating, by themselves or by public corporation therein, power plants, or having Home Rule charters, except upon a vote of the qualified electors of such city or village; to repeal said original section and to declare an emergency.

LEGISLATIVE BILL NO. 392. By Mueller of Buffalo.

A bill for an Act to amend Section 71-209, Comp. St. Supp., 1937, relating to public health and welfare; to provide for the renewal and reinstatement of licenses of osteopathic physicians and surgeons; and to repeal said original section.

LEGISLATIVE BILL NO. 393. By Mueller of Buffalo.

A bill for an Act to amend Sections 81-113, 83-103 and 84-107, Compiled Statutes of Nebraska, 1929; to amend Secs. 2-1501, 3-201, 8-195, 8-1,122, 8-1,124, 60-418, 81-6510, 81-6514 and 85-320, Comp. St. Supp., 1937, relating to official bonds; to provide that all state officers, except the state treasurer, and all state employees shall pay the premiums on their official bonds and that in no case shall said premiums be paid out of any public funds of said state; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 394. By Mueller of Buffalo, Hastings of Polk,
Johnston of Hall.

A bill for an Act to amend Sec. 81-102, C. S. Supp., 1937, relating to the civil government of the State of Nebraska; to provide that the Governor shall submit his appointments for the various titular heads of the executive departments of the State of Nebraska under his control within sixty days following the first Thursday after the first Tuesday in the year 1939, and in each odd numbered year thereafter; to prescribe the limitations in the case of a nominee failing of confirmation; to deny payment of salaries to said appointees during the sitting of the Legislature and prior to confirmation; to prescribe the procedure to be followed in the case of vacancies in said offices during the recess of the Legislature; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 395. By Mueller of Buffalo.

A bill for an Act to amend Section 70-703, Compiled Statutes Supplement, 1937 (Section 3, Chapter 152, Session Laws of Nebraska, 1937), relating to public power and irrigation districts; to provide against such districts, upon formation, conflicting with plants, systems and works of or within cities, villages, or other public corporations; to provide for a notice and hearing before the Department of Roads and Irrigation upon the petition for the formation of such districts and the determination of public convenience, necessity and welfare of such districts and conflicts with the plants, systems and works of or within cities, villages, or other public corporations; to provide for an appeal from the decision of the Department; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 396. By Mueller of Buffalo, Schultz of Antelope, Gutoski of Douglas, Hastings of Polk.

A bill for an Act relating to air-craft and airmen; to merge and consolidate, from and after the effective date of this Act, the functions, powers and duties of the Nebraska Aeronautics Commission with the state railway commission; and to declare an emergency.

LEGISLATIVE BILL NO. 397. By Mueller of Buffalo, Carlson of Phelps.

A bill for an Act to amend Sec. 54-1404, Comp. St. Supp., 1937, relating to live stock; to provide that bond executed to the State of Nebraska shall not be required of sales rings that are located at stockyards which are posted as stockyards by the Director of Agriculture of the United States; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 398. By Neubauer of Harlan.

A bill for an Act to amend Section 81-1408, C. S. Supp, 1937, relating to revenue; to impose a tax on imitation butter; to define the same with respect to ingredients therein for purposes of taxation; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 399. By Gutoski of Douglas, Tvrdik of Douglas, Norman of Douglas, Klaver of Douglas, Thomas of Douglas, John Adams, Jr. of Douglas, Ernest A. Adams of Douglas.

A bill for an Act to amend Sections 26-1502, 26-1503, 26-1504, 26-1506, 26-1508, 26-1509, 26-1512, 26-1513, 26-1514, 26-1515, 26-1516 and 26-1517, Compiled Statutes of Nebraska, 1929; to amend Sec. 26-1521, Comp. St. Supp., 1937, relating to the office of coroner, coroner's juries and the selection and summoning thereof, coroner's inquests and the records thereof, the disposition of personal property of deceased persons coming into the possession of the coroner, the appointment and tenure of coroner's physicians; prohibiting the coroner, his deputies or employees from having any interest in any undertaking or embalming establishment; providing a method for the selection of undertakers to care for bodies of deceased persons; prohibiting favoritism in such selection; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 400. By Carlson of Phelps.

A bill for an Act relating to revenue; to provide for the auditing of claims and contracting of indebtedness by counties, under the County Budget Act, 1937; to provide for emergencies; to authorize county boards to levy during the year 1939 a tax of not to exceed two mills for the county general fund upon the actual valuation of property within said counties; to provide revenue where no levy was made in 1938 for the time from January 1, 1939, to the date of levy in 1939; to anticipate the same by contracting indebtedness, auditing of claims, issuance of anticipatory warrants against the same; and to declare an emergency.

LEGISLATIVE BILL NO. 401. By Dunn of Lancaster.

A bill for an Act to amend Section 77-901, Compiled Statutes of Nebraska, 1929, relating to revenue; to allocate and proportion the gross amounts of annual premiums received by fire insurance companies between insurers and reinsurers for purposes of taxation; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 402. By Thomas of Douglas.

A bill for an Act to amend Sec. 81-5438, Comp. St. Supp., 1937, relating to securities brokers' license fees; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 403. By Doyle of Greeley.

A bill for an Act to amend Sec. 68-325, Comp St. Supp., 1937, relating to the State Assistance Fund; to provide that if any county shall not requisition the full amount of said fund which it might receive, or if any county shall not use the full amount which may be paid to it from said fund for assistance activities, the surplus thus created may, if needed within six months, be paid to or used by said county for said assistance activities, in proportion to the deficiencies occurring for the various activities and the need for the use and expenditure of such surplus shall be ascertained and determined during said six months period from the basis provided by law; to provide that all said surplus, if any, every six months shall be reallotted to the county treasurers of the several counties in the same manner as the percentages of the original balance in the State Assistance Fund is allotted; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 404. By Klaver of Douglas.

A bill for an Act relating to civil procedure; to fix the civil liability of an owner of a vehicle for damage done by said vehicle; to provide for liability of the owner when damage is done by any person, driving with the consent of the owner of said vehicle by reason of the negligence of the driver thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 405. By Klaver of Douglas.

A bill for an Act relating to revenues; to provide methods for the assessment of property of railroad companies; to prescribe the matter that shall be taken into consideration by the state board of equalization and assessment in the valuation of railroad property; to provide that the provisions of this Act shall be cumulative; and to declare an emergency.

LEGISLATIVE BILL NO. 406. By Reed of Lancaster, Craven of Lancaster.

A bill for an Act to amend Section 44-804, Comp. St. Supp., 1937, relating to insurance; to provide that a minor shall be deemed incompetent by reason of such minority to contract for or with respect to life, health or accident insurance; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 407. By Thomas of Douglas, Brady of Holt, Diers of York.

A bill for an Act to amend Sec. 77-1007, Comp. St. Supp., 1937, relating to revenue; to prescribe the method to be used by the State Board of Equalization and Assessment for determining the levy for the general fund of the state; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 408. By Committee on Judiciary.

A bill for an Act to amend Section 32-503, Compiled Statutes of Nebraska, 1929; to amend Sec. 32-504, Comp. St. Supp., 1937; to amend Sections 32-922, 32-931 and 32-1122, Compiled Statutes of Nebraska, 1929; to amend Secs. 32-1205 and 32-1108, Comp. St. Supp., 1937; to amend Sections 32-1123, 32-1124, 32-1135, 32-1159, 32-1164 and 32-1903, Compiled Statutes of Nebraska, 1929, relating to elections; to prescribe the form of the official ballot in elections for public officers at general elections; to provide that, after completion of canvass of returns of said elections by the county board, the county clerk shall prepare a copy of the abstract of the votes cast for president, vice-president, United State senator, congressman, all state officers, regents, judges of the supreme and district courts and all questions under the constitution voted upon by the whole people and shall seal, indorse and direct said abstract to the secretary of state who shall prepare a tabular sheet of the votes cast for such officers and measures and who shall preserve the same with the abstract of votes from the several counties for the use of the Legislature in making the official canvass; to prescribe what certificates of election county clerks shall issue; to direct where nomination papers shall be filed; to prescribe that nomination statements of all candidates for members of the Legislature shall be filed with the secretary of state; to enumerate the requirements of candidates seeking nomination by petition; to list filing fees to be paid by petition candidates; to provide that, in case nomination papers are filed by electors, other than the candidate, the nominee shall file, within five days from the date of filing said nominating petition, a written statement under oath that he affiliates with the party named in said certificate, that he will abide by the results of said primary, and, if elected, that he will qualify and serve as such officer; to provide that electors desiring to change party affiliations in order to be eligible to qualify as a candidate must publicly declare his intention to change his party affiliation at least ninety days prior to becoming a candidate of said different political party; to provide organization procedure for formation of new political parties; to provide that the state canvassing board shall meet on the third Tuesday succeeding the primary to canvass the primary election returns; to prescribe procedure for notifying nominees of their said nominations; to require sponsors of initiative petitions for initiating any law or amendment to the constitution prior to obtaining any signatures on said petitions to file a copy of the form to be used together with the name or names of those contributing or pledging contributions for the purpose of defraying the cost of the preparation, printing or circulation thereof; to provide that the person presenting said petition to the secretary of state for filing shall make a verified statement under oath showing the total amount contributed, pledged or received by each contributor for the preparation, printing or circulation thereof; to repeal said original sections; to repeal Section 32-923, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

LEGISLATIVE BILL NO. 409. By Mueller of Buffalo, Doyle of Greeley, Dunn of Lancaster, Craven of Lancaster.

A bill for an Act relating to permit fees for hunting and fishing, trapping or otherwise taking fur-bearing animals, and for raccoon hunting; to amend Section 2, Chapter 84, Laws of Nebraska for 1935 (Section 37-204, Comp. St. Supp., 1937); and to repeal said original section.

LEGISLATIVE BILL NO. 410. By Thomas of Douglas.

A bill for an Act relating to counties; to authorize and empower any county in the state of Nebraska to borrow money with which to pay judgments against the county and accrued interest thereon and to redeem outstanding warrants of the county; to issue the county's promissory note or notes therefor; to provide for the repayment of money so borrowed; and to prescribe terms, provisions, conditions and limitations upon the exercise of the power to so borrow; and to declare an emergency.

LEGISLATIVE BILL NO. 411. By John Adams Jr. of Douglas.

A bill for an Act to amend Section 79-2705, Compiled Statutes of Nebraska, 1929, relating to schools; to provide a method for the election of members of the board of education in metropolitan cities; and to repeal said original section.

LEGISLATIVE BILL NO. 412. By John Adams Jr. of Douglas.

A bill for an Act relating to civil rights; to provide that no discrimination shall be made in the issuance of policies of any type of insurance; to provide that no company, agent, solicitor or broker shall make any contract of insurance, or agreement as to such contract other than is plainly specified in the policy thereon; and to provide penalties for the violation thereof.

President Johnson presiding.

MESSAGES FROM THE GOVERNOR

Director of Assistance

January 30th, 1939.

To the Members of the Fifty-Third Session
of the Nebraska Legislature

Gentlemen:

I herewith submit the nomination of Neil C. Vandemoer for reappointment as Director of Assistance for the term ending January, 1941. Since he first assumed this position, nearly two years ago, Mr. Vandemoer has discharged his duties efficiently and capably and is, I believe, deserving of your favorable consideration.

Respectfully submitted,

(Signed) R. L. Cochran,
Governor

Member of State Board of Control

January 30th, 1939

To the Members of the Fifty-Third Session
of the Nebraska Legislature

Gentlemen:

I herewith submit for your consideration the nomination of William A. Bruce of Verdigre, Nebraska, for a member of the State Board of Control.

Mr. Bruce is a farmer and businessman of Verdigre. He has been a member of the Knox County Board of Supervisors for the past ten years and for the past several years has been President of the Association of Commissioners, Supervisors, Highway Commissioners, County Clerks and Registers of Deeds. In these capacities he has cooperated in a constructive way with the State Board of Control and the Director of Assistance in developing an efficient program of county and state administration of the social security act.

I feel that with our county officials represented on the Board of Control, the Assistance Program and the other activities under the Board of Control will be strengthened. It is highly important in retaining the maximum of local self government that we have the closest cooperation between state and local officials.

Respectfully submitted,

(Signed) R. L. Cochran,
Governor

Director of State Employment Service

January 30th, 1939

To the Members of the Fifty-Third Session
of the Nebraska Legislature

Gentlemen:

I herewith submit the nomination of Harry Bane to succeed himself as Director of the State Employment Service. Mr. Bane's services in this capacity have been very satisfactory.

Respectfully submitted

(Signed) R. L. Cochran,
Governor

Director of the Unemployment Compensation Division

January 30th, 1939.

To the Members of the Fifty-Third Session
of the Nebraska Legislature

Gentlemen:

I herewith submit the nomination of Robert T. Malone for re-appointment as Director of the Unemployment Compensation Division. Mr. Malone has served ably and well in this position.

Respectfully submitted

(Signed) R. L. Cochran,
Governor

Member of Game, Forestation and Parks Commission

January 30th, 1939.

To the Members of the Fifty-Third Session
of the Nebraska Legislature

Gentlemen:

I herewith submit for your consideration the nomination of Mr. Carl Horn of Hay Springs, Nebraska, for a member of the Game, Forestation and Parks Commission.

Mr. Horn is a businessman of Hay Springs. He believes in conservation and has the esteem of organizations that are interested in conservation and propagation of our wildlife.

Respectfully submitted

(Signed) R. L. Cochran,
Governor

MOTION—To Recess

At 12:05 p. m. Mr. Diers moved that the rules be suspended and that the Legislature recess until 4:00 p. m.

The motion prevailed with 35 ayes, no nays, 8 not voting.

After Recess

The Legislature reconvened at 4:07 p. m. President Johnson presiding.

The roll was called and all members were present.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 142. By Garber of Webster.

A bill for an Act to amend Secs. 60-306, 60-328 and 60-330, Comp. St. Supp., 1937; relating to motor vehicles; to prescribe the due and delinquent dates for the annual renewals of motor vehicle registrations; to provide the amount of motor vehicle registration fees on vehicles and motor trucks purchased on and after July first of each year; to provide the amount of renewal fees on motor vehicles and motor trucks when the same shall not have been used or driven during previous years; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 413. By Ernest A. Adams of Douglas, Mueller of Buffalo, Gutoski of Douglas, Tvrdik of Douglas.

A bill for an Act relating to school lands and funds and public lands and buildings; to provide that the Lieutenant Governor shall be, ex-officio, the Commissioner of Public Lands and Buildings; to provide that he shall receive no added compensation therefor; to repeal Sections 84-412, 84-413, 84-414 and 84-415; and to declare an emergency.

LEGISLATIVE BILL NO. 414. By Westley of Butler (By request).

A bill for an Act to amend Sections 12-120 and 84-801, Compiled Statutes of Nebraska, 1929, relating to official bonds; to provide that in counties having a population of sixty thousand or less, the county boards shall pay the premium on surety bonds of deputies of county officers in an amount not to exceed one per cent per annum of the penalty in the bond; to provide for refund of a portion of the unearned premium so paid for the term of said bond; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 415. By Dunn of Lancaster (By request).

A bill for an Act to permit Helen O'Connor of Kansas City, Missouri, to file suit against the State of Nebraska in the District Court of Lancaster County, Nebraska, for the purpose of obtaining a fair and impartial adjudication as to her rights as an heir to share in the property and assets of the estate of John O'Connor, who died intestate in Adams County, Nebraska, on the 17th day of August, 1913, and which property and assets escheated to the State of Nebraska for want of heirs and have not been disposed of and are now held intact in the possession of the State of Nebraska; and to provide for the waiver of the sovereignty on the part of the State of Nebraska for the prosecution of said suit, to permit a recovery of the property and assets, or a part thereof, if wrongfully received and held by the State of Nebraska, to waive the defense of the statute of limitations on behalf of said State, and to declare an emergency.

LEGISLATIVE BILL NO. 416. By Hastings of Polk, Mueller of Buffalo, Garber of Webster, Miller of Kimball, Schultz of Antelope, Thornton of Jefferson, Carlson of Phelps, Hall of Adams.

A bill for an Act providing for the prevention and control of crime; to create a State Bureau of Criminal Investigation in the Department of Justice; to designate the maximum number and qualifications of the officers of said Bureau; to prescribe their authority; to provide for jurisdiction of actions arising by virtue of their official duties; to prescribe duties of peace officers and of said bureau in the matter of fingerprinting persons in custody and of maintaining records of same; to repeal Sections 84-107, 84-108, 29-208, 29-209 and 29-210, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

LEGISLATIVE BILL NO. 417. By Ernest A. Adams of Douglas.

A bill for an Act to amend Sec. 53-353, Comp. St. Supp., 1937, relating to liquors; to provide that the Nebraska Liquor Control Commission may, in its discretion, eliminate the cancellation of alcoholic liquor revenue stamps by manufacturers or distributors of liquors; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 418. By Klaver of Douglas.

A bill for an Act relating to liquors; to provide rules and regulations governing the sale of liquors by non-resident dealers within the state of Nebraska; and to declare an emergency.

LEGISLATIVE BILL NO. 419. By Westley of Butler.

A bill for an Act to amend Secs. 39-1101 and 60-405, Comp. St. Supp., 1937, relating to motor vehicles; to provide that an instruction permit may be issued to any person between the age of fifteen years and six months and sixteen years; to provide that holders of instruction permits shall drive when accompanied by a licensed operator; to establish liability for persons who sign such application for an instruction permit on behalf of such minor; to provide penalties for the violation thereof; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 420. By Von Seggern of Cuming.

A bill for an Act for the relief of Jerome J. Brazda of Cuming county, Nebraska; and to appropriate two thousand dollars therefor.

LEGISLATIVE BILL NO. 421. By Neubauer of Harlan.

A bill for an Act relating to cemeteries; to provide procedure for the acquisition of abandoned or neglected private cemeteries by the county boards of counties not under township organization or by the township board of townships; to amend Section 26-224, Compiled Statutes of Nebraska, 1929; to amend Sec. 26-105 Comp. St. Supp., 1937; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 422. By Mueller of Buffalo.

A bill for an Act to amend Section 53-326, C. S. Supplement Nebraska, 1937, relating to alcoholic liquors and providing for various license fees, including a non-resident manufacturer's license fee and to repeal said original section and to declare an emergency.

LEGISLATIVE BILL NO. 423. By Doyle of Greeley, Howard of McPherson.

A bill for an Act relating to insurance, providing that after July 1, 1939, no foreign fraternal insurance association shall be licensed to do business in the State of Nebraska, unless they meet certain requirements as to policy, contracts, and premium charges; to repeal acts in conflict herewith; and to declare an emergency.

LEGISLATIVE BILL NO. 424. By Klaver of Douglas.

A bill for an Act to amend Section 48-401, Compiled Statutes of Nebraska, 1929, relating to labor; to provide the type of toilet facilities required to be kept or maintained in theaters and in the projection rooms, booths or stalls thereof; to repeal said original sections; and to declare an emergency .

LEGISLATIVE BILL NO. 425. By Brady of Holt, Peterson of Madison, Mueller of Buffalo.

A bill for an Act to create a game refuge on both sides of the Platte River extending from Lincoln County east to the Missouri River.

LEGISLATIVE BILL NO. 426. By Ernest A. Adams of Douglas.

A bill for an Act to amend Sec. 44-1107, Comp. St. Supp., 1937, relating to insurance; to provide that group insurance may be issued to a group of not less than fifty members; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 427. By Craven of Lancaster, Dunn of Lancaster.

A bill for an Act to diminish the causes of labor disputes; to provide for self-organization among employees, the right to bargain collectively through employee representatives; for arbitration of labor disputes; to define and declare unlawful certain unfair labor practices; to provide for relief by injunction and mandamus; and to provide for penalties for the violation of this Act.

LEGISLATIVE BILL NO. 428. By Gantz of Box Butte.

A bill for an Act to amend Section 28-538, Compiled Statutes of Nebraska, 1929, relating to crimes and punishments; to establish and define the crime of attempted breaking and entering; to provide penalties for the violation thereof; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 429. By Rossiter of Thurston, John Adams, Jr. of Douglas.

A bill for an Act to amend Secs. 68-324 and 68-325, Comp. St.

Supp., 1937, relating to the State Assistance Fund; to determine the allocation of the percentage of the balance of the State Assistance Fund to the several counties in the proportion in which the total quarterly balance allocated to each county in the State of Nebraska during the preceding quarter bears to the total quarterly balance allocated to all counties in the State of Nebraska during the preceding quarter; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 430. By Johnston of Hall, Craven of Lancaster.

A bill for an Act to amend Secs. 70-701, 70-702 and 70-704, Comp. St. Supp., 1937, relating to public power and irrigation districts; to prescribe procedure whereby such districts may be enlarged or extended; to provide that a purchase of power plants or transmission facilities in a city or village must be authorized by a vote of the electors thereof; to provide that any elector residing within any of the territory so added shall be eligible to membership on the board of directors for such district; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 431. By Hall of Adams.

A bill for an Act relating to revenue; to authorize the governing body of any political subdivision to fund its general indebtedness; to authorize the issuance of funding bonds not to exceed an amount lawfully owing and unpaid upon its registered warrants and judgments plus accrued interest; to provide for the maximum rate of interest the bonds shall bear; to provide the manner in which such bonds shall be issued; to provide for the levy of an annual tax for the payment of interest and principal on such bonds; and to declare an emergency.

LEGISLATIVE BILL NO. 432. By Schultz of Antelope (By request).

A bill for an Act to amend Section 66-701, Comp. Stat. Supp. 1937, relating to the delivery and unloading of motor vehicle fuels at night; to provide for the issuance of permits; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 433. By Brodecky of Colfax, Miller of Kimball, Carlson of Phelps, Schultz of Antelope, Thornton of Jefferson, Van Diest of Loup, Mischke of Knox, Howard of McPherson.

A bill for an Act to amend Sec. 71-602, Comp. St. Supp., 1937, relating to public health and welfare; to define **unprofessional conduct** insofar as it applies to the optometric profession; to define unlawful conduct as applied to the practice of optometry; to provide penalties for the violation thereof; to provide a saving clause; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 434. By Sorrell of Otoe.

A bill for an Act to amend Secs. 2-1403 and 2-1710, Comp. St. Supp., 1937, relating to agriculture; to provide that when county eradicates bindweed upon failure of owner to do so such expense shall be certified to the county clerk who shall place same on duplicate tax rolls and certify the same to the county treasurer; to provide that any land in the district which is free of noxious weeds shall be free from tax for such district; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 435. By Carsten of Cass.

A bill for an Act to amend Section 24-1314, Compiled Statutes Supplement of Nebraska, 1937, relating to cooperative credit associations; to provide for the aggregate par value of the stock, of said associations, for the voting of said stock by members thereof, and loaning money to members thereof; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 436. By Johnson of Dodge.

A bill for an Act relating to crime and punishment; to define the term **fictitious name**; to provide for the registration thereof in the office of the Secretary of State; to provide for the publication of the notice of such registration; and to provide penalty for the violation of this Act.

LEGISLATIVE BILL NO. 437. By Thomas of Douglas.

A bill for an Act to amend Section 24-606, Compiled Statutes of

Nebraska, 1929, relating to corporations; to provide for the incorporation, property and management of charitable and fraternal societies; to prescribe procedure to change the name of such societies together with jurisdictional public notice and public record required; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 438. By Reed of Lancaster.

A bill for an Act to amend Section 81-501, Compiled Statutes of Nebraska, 1929, relating to state administrative departments; to provide that the Director of the Department of Agriculture and Inspection shall control, supervise, collect and publish agricultural statistics and shall furnish the same to the federal government upon its request; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 439. By Reavis of Richardson (By request),
Westley of Butler (By request).

A bill for an Act to amend Section 55-302 of the Compiled Statute Supplement of 1937 to authorize funds heretofore appropriated for the purpose of purchasing a landing field for a base of activities for the National Guard of Nebraska and to repeal said Section 55-302 as originally enacted and to declare an emergency.

LEGISLATIVE BILL NO. 440. By Reavis of Richardson (By request),
Westley of Butler (By request).

A bill for an Act to amend Section 3-201, Section 3-219 and Section 3-221, relating to Nebraska Aeronautics Commission and the application of Aircraft Gasoline Tax and to provide for the purchase of a landing field and to provide for the application of funds therefor and to repeal said original Sections and to declare an emergency.

LEGISLATIVE BILL NO. 441. By Carsten of Cass.

A bill for an Act to amend Section 19-406, Compiled Statutes of Nebraska, 1929, relating to municipal corporations; to provide that in cities that shall have adopted the commission form of government, polls at any primary election held therein shall open at 8 o'clock A. M. and shall close at 8 o'clock P. M.; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 442. By Thomas of Douglas.

A bill for an Act to amend Section 30-1414, Compiled Statutes of Nebraska, 1929, relating to decedents' estates; to provide for the publication of notice of hearings on all accounts of executors and administrators, whether intermediate or final and of all orders, judgments and decrees entered thereon allowing or disallowing any such account, which orders are declared to be final orders, judgments or decrees; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 443. By Dunn of Lancaster, Neubauer of Harlan.

A bill for an Act to amend Section 74-524, Compiled Statutes 1929, relating to Railroads; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 444. By Gross of Cherry (By request).

A bill for an Act to amend Sections 71-1101, 71-1103 and 71-1104, Compiled Statutes of Nebraska, 1929, relating to public health, convenience and welfare; to govern the practice of chiropractic; to define the practice of chiropractic; to provide a uniform system of examination and licensing persons to practice chiropractic; to define an accredited school or college of chiropractic; to define the duties and rights of licensees thereunder; and to repeal said original sections.

LEGISLATIVE BILL NO. 445. By Dunn of Lancaster.

A bill for an Act to amend Section 48-411, Compiled Statutes of Nebraska, 1929, relating to labor; to provide that any employee who shall, under any provision of the law of this state or any city charter be entitled to receive from his employer by reason of his service, benefits in the form of pension or other emoluments for the same period for which he makes claim for compensation, shall be entitled to compensation only to the extent by which such compensation may exceed the amount of any such pension or emolument; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 446. By Dunn of Lancaster.

A bill for an Act to amend Section 41-101, Compiled Statutes of Nebraska, 1929, relating to hotels and inns; to define the term **hotel**; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 447. By Dunn of Lancaster.

A bill for an Act to amend Secs. 48-702, 48-703 (a) and (b), 48-704, 48-705, 48-707 (d), 48-709, 48-711 (d) and (k), 48-605 (e), 48-712 (a), 48-713 and 48-717, Comp. St. Supp., 1937, relating to labor, unemployment compensation and the employment of labor and free employment services; to fix the base period within an individual's benefit year; to exempt railroad employment from the definition of employment; to eliminate the necessity for determining whether wages less than $3.00 a week were earnings at odd jobs or at subsidiary work; to provide for the elimination of railroad workers from benefits after July 1, 1939; to round out benefit payments in fractional amounts of a dollar to the next highest dollar; to put a bottom on earnings necessary to qualify workers for benefits; to prescribe the manner in which charge-backs shall be made; to provide for transfer of funds to the Railroad Unemployment Compensation Insurance Account; to provide for the payment of premiums on bonds for personnel bonded by the Commissioner, from the Administration Fund; to harmonize the provisions of this Act with the Railroad Unemployment Insurance Act; to provide for agreements with the Railroad Retirement Board for services provided by the employment service; to make available moneys paid by the Railroad Retirement Board for services rendered by the State Employment Service; to provide for the inclusion of moneys received from the Railroad Retirement Board in the Administration Fund; to prescribe alternative methods of collecting past due contributions; to provide that the Commissioner shall have a lien for unpaid contributions; to prescribe procedure for the collection of such liens; to provide the liability of successive employers for unpaid contributions in cases of change of ownership; to provide for reciprocal arrangements with appropriate agencies of the State and federal government for the transfer of credits in harmony with the Railroad Unemployment Compensation Act; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 448. By John Adams, Jr. of Douglas.

A bill for an Act to amend Sec. 48-707 (c), Comp. St. Supp., 1937, relating to labor, unemployment compensation and the employment of labor and free employment service; to provide for the payment of contributions; to fix the rate thereof; to repeal said original sub-section; to repeal Sec. 48-707 (d), (e) and (f), Comp. St. Supp., 1937; and to declare an emergency.

LEGISLATIVE BILL NO. 449. By Doyle of Greeley.

A bill for an Act relating to securities; to create and establish a Bureau of Securities in the State of Nebraska; to provide for a Director thereof to be appointed by the Governor; to provide for the administration of said Bureau of Securities and the provisions of this act; to define the terms security, securities, person, sale or sell, dealer, issuer, salesman, broker, agent, governor, Director of the Bureau of Securities, and mortgage, insofar as they relate to the provisions of this act; to provide for the exemption of certain securities and transactions from the provisions of this act; to provide for the regulation and control of the issuance, sale and exchange of securities in the State of Nebraska; to provide for the registration and qualification of securities in the Bureau of Securities; to prescribe the power and duties of the Director of the Bureau of Securities and his subordinates with reference thereto; to provide for the service of process in civil cases; and provide that any person, resident or non-resident of the State of Nebraska, registered, licensed and authorized to engage in the security business in the State of Nebraska, shall thereby be deemed to have appointed the Director of the Bureau of Securities of the State of Nebraska as his true and lawful attorney upon which may be served all legal processes in any action or proceeding against such resident or non-resident growing out of such person being engaged in the security business or dealing in securities in the State of Nebraska; to provide for a hearing and method of procedure before the Director of the Bureau of Securities and for an appeal from any final order of the Director of the Bureau of Securities to the District Court; to provide the method of obtaining funds for the enforcement of the provisions of this act; to provide penalties for the violation thereof; to provide a saving clause; to repeal Sections 81-5436 to 81-5475, inclusive, Compiled Statutes Supplement of Nebraska for 1937; to repeal Sections 1 to 41, inclusive, Chapter 195, Session Laws of Nebraska for 1937; and to declare an emergency.

LEGISLATIVE BILL NO. 450. By Doyle of Greeley, John Adams, Jr of Douglas.

A bill for an Act relating to public safety and the general welfare; to prohibit the sale and use of all explosives, firecrackers, roman candles, sky rockets, torpedoes, and all explosives commonly known as fireworks; to provide penalties for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 451. By Doyle of Greeley.

A bill for an Act to amend Sec. 68-401, Comp. St. Supp., 1937, relating to blind assistance; to provide that the Blind Assistance Board in each county shall be under the direct supervision of the State Assistance Committee; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 452. By Doyle of Greeley.

A bill for an Act to amend Sec. 68-284, Comp. St. Supp., 1937, relating to public welfare and social security; to provide that county treasurers shall credit moneys arising from the per capita tax to the county assistance fund; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 453. By Hall of Adams.

A bill for an Act to amend Sec. 32-401, Comp. St. Supp., 1937, relating to elections; to provide that no person shall be eligible to serve on any election or counting board whose name shall appear upon the ballot to be voted upon as a delegate to any political convention; and to repeal said original section.

LEGISLATIVE BILL NO. 454. By Craven of Lancaster, Dunn of Lancaster.

A bill for an Act to amend Section 36-208, Compiled Statutes of Nebraska, 1929; to provide that conditional sales contracts shall not be valid as against subsequent purchasers, judgment creditors or chattel mortgagees of the vendee unless the contract be filed in the office of the County Clerk; and to repeal said original section.

LEGISLATIVE BILL NO. 455. By Craven of Lancaster, Thomas of Douglas, Gutoski of Douglas.

A bill for an Act relating to the selection of district judges; providing for their selection by departments where there is more than one judge in a district; to provide for ballots in such cases both at the primary election and general election, and to amend Section 32-1201 as amended by C. S. Supplement, 1937, and Section 32-1202, of Chapter 32, of Article 12, Compiled Statutes of Nebraska for the year 1929, and to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 456. By Craven of Lancaster, Klaver of Douglas, Hastings of Polk, Doyle of Greeley, Mueller of Buffalo.

A bill for an Act to amend Sections 77-701, 77-710 and 77-1006, Compiled Statutes of Nebraska, 1929; to amend Sec. 77-702, Comp. St. Supp., 1937, relating to revenue; to provide procedure for listing taxable property and to fix tax on same; to provide for statement by foreign corporations of persons in the State of Nebraska owning any share of stock in such corporation; to provide for correction of tax rules; to provide for statement by all banks, loan, trust or investment companies showing who owns capital stock of such and to fix tax on such stock; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 457. By Sorrell of Otoe (By request).

A bill for an Act to amend Sec. 60-302, Comp. St. Supp., 1937, relating to motor vehicles; to prohibit the issuance of a registration certificate to any motor vehicle owner who shall not submit proof of ability to respond in damages for any damages caused to person or property as the result of the operation of such motor vehicle; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 458. By Brady of Holt, Murphy of Scotts Bluff, Thomas of Douglas, Gantz of Box Butte, Miller of Kimball, Johnson of Dodge.

A bill for an Act relating to state appropriations, funds, money and finance; to provide for a Legislative Control Office in connection therewith; to prescribe the powers and duties of the Legislative Comptroller therein; and to declare an emergency.

LEGISLATIVE BILL NO. 459. By Hall of Adams.

A bill for an Act to provide for delegate State conventions and delegate county conventions for political parties, to provide the business that may be transacted thereat, and how said conventions shall be constituted and conducted and the delegates thereto selected.

LEGISLATIVE BILL NO. 460. By Committee on Appropriations.

A bill for an Act relating to state institutions; to establish the Milford State Hospital for mental diseases; to provide for the scope and functions of said institution; and to declare an emergency.

LEGISLATIVE BILL NO. 461. By Committee on Appropriations.

A bill for an Act to amend Section 80-306, Compiled Statutes of Nebraska, 1929, relating to soldiers and sailors; to discontinue the branch institution of the Soldiers' and Sailors' Home at Milford on and after July 1, 1939; to provide the method and manner of transferring all members of said branch institution to the Soldiers' and Sailors' Home at Grand Island; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 462. By Committee on Appropriations.

A bill for an Act relating to state institutions; to direct the Board of Control to close the Nebraska Industrial Home at Milford as rapidly as the physical condition of the inmates therein warrants from and after the effective date of this Act; to provide for the hospitalization of said inmates in such other suitable institution or private hospital as the Board of Control shall designate; to repeal Article 13, Chapter 83, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

LEGISLATIVE BILL NO. 463. By Gutoski of Douglas.

A bill for an Act to amend Sections 5, 6, and 7, Article III, Constitution of Nebraska, relating to the Legislature; to provide that the legislative authority of the state shall be vested in a Legislature consisting of one chamber; to provide that each member thereof shall be nominated and elected in a partisan manner; and to provide that said partisan Legislature shall consist of not more than one hundred members and not less than eighty members; fixing the salaries of the members, and providing that this amendment shall be in full force and take effect the first Thursday after the First Tuesday in January 1941.

LEGISLATIVE BILL NO. 464. By Reed of Lancaster (By request).

A bill for an Act for safeguarding people and property and promoting the welfare of the general public; providing for the examination and licensing of electrical contractors and journeymen electricians by the Commissioner of Labor; providing that electrical installations shall not be made except as provided herein; and appropriating the fees collected in connection with licensing of electrical contractors and journeymen electricians; and providing penalty for the violation of this act, and to repeal all acts or parts of acts in conflict herewith.

LEGISLATIVE BILL NO. 465. By Callan of Gage.

A bill for an Act to amend Section 79-2102, Compiled Statutes of Nebraska, 1929, relating to schools; to provide for the transportation of pupils to public schools; to authorize school boards to contract with other districts to furnish transportation; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 466. By Doyle of Greeley.

A bill for an Act to amend Sections 43-401, 43-402, 43-403, 43-405, 43-407, 43-408, 43-409, 43-410, 43-411 and 43-413, Compiled Statutes of Nebraska, 1929; to amend Secs. 43-404 and 43-406, Comp. St. Supp., 1937, relating to Mothers' Pensions; to provide that the Mothers' Pension Fund shall be administered by the County Assistance Committee; to provide for the payment of said pensions; to repeal Section 43-412, Compiled Statutes of Nebraska, 1929; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 467. By Peterson of Madison.

A bill for an Act to amend Section 18-1601, 1937 Cumulative Supplement to Compiled Statutes of Nebraska, 1929, relating to cities and villages; to provide for the filing of an estimate of the cost of an electric light and power plant, distribution system and transmission lines, or any one or more of them, prior to an election, authorizing the issuance of revenue bonds therefor; to extend the time of submission of the proposition to the electors; to provide for like election upon extensions of such plant, system or lines; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 468. By Peterson of Madison.

A bill for an Act relating to liquors, except beer; requiring all brands of alcoholic liquor, except beer, to be sold at retail in accordance with provisions contained in Chapter 59, Article 11, Comp. St. Supp., 1937, known as the Nebraska Fair Trade Act; to require executed copies of all fair trade contracts to be filed with the Nebraska Liquor Control Commission; to require the filing of a notice of all changes in such contracts; to declare unlawful all advertising of alcoholic liquor, except beer, by price, and declaring it unlawful for any licensee to use the words **Cut Prices, Reduced Prices, Prices Slashed, Stock Reducing Sale,** or any other similar words or phrases in any advertisement of alcoholic liquors, except beer; to provide penalties for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 469. By Mueller of Buffalo.

A bill for an Act to amend Section 53-325 of the C. S. Supplement Nebraska, 1937, relating to alcoholic liquor licenses; to provide for various types and kinds of licenses, including a non-resident manufacturers license and a bond therefor and to repeal said original section and to declare an emergency.

LEGISLATIVE BILL NO. 470. By Van Diest of Loup.

A bill for an Act to amend Section 77-1414, Compiled Statutes of Nebraska, 1929, relating to revenue; to provide for assessment of cattle when moved from one county to another after the first day of April in any year; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 471. By Thomas of Douglas, Diers of York.

A bill for an Act to advertise the products of the State of Nebraska and the advantages of the state as a place of residence and recreation, and to attract tourists and to induce industries to locate within the state, to create a commission to conduct the same, to appropriate the sum of one hundred thousand dollars for the use of said commission to carry out the purposes of this Act; and to declare an emergency.

LEGISLATIVE BILL NO. 472. By Thomas of Douglas, Diers of York, Brady of Holt.

A bill for an Act to amend Sec. 60-302, Comp. St. Supp., 1937, relating to motor vehicles; to prohibit the issuance of a registration certificate or the transfer of any registration certificate for any motor vehicle whose owner shall be obligated for the payment of per capita tax due for the preceding and previous years as levied under Section 68-284, Comp. St. Supp., 1937, as now existing, or as hereafter amended; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 473. By Ernest A. Adams of Douglas, Klaver of Douglas.

A bill for an Act to require the providing of educational opportunities for physically handicapped children who are unable to attend regular school classes; to prescribe the methods of such educational training under the supervision of the superintendent of public instruction; to provide for reimbursement of school districts for the extra expense involved and to declare an emergency.

LEGISLATIVE BILL NO. 474. By Ernest A. Adams of Douglas, Klaver of Douglas, Tvrdik of Douglas.

A bill for an Act to appropriate the sum of twenty thousand dollars ($20,000.00) for the needs of the superintendent of public instruction during the biennium ending June 30, 1941 for the purpose of administering educational legislation for the benefit of physically handicapped children; and to declare an emergency.

LEGISLATIVE BILL NO. 475. By Gutoski of Douglas, Tvrdik of Douglas, Thornton of Jefferson, Craven of Lancasater, Ernest A. Adams of Douglas.

A bill for an Act relating to law; to limit jurisdiction of courts sitting in equity relating to labor disputes concerning terms and conditions of employment.

LEGISLATIVE BILL NO. 476. By Tvrdik of Douglas (By request).

A bill for an Act relating to health; to provide reimbursement for hospitals on account of expenses of the care of indigent persons injured in motor vehicle accidents; to amend Section 39-1405, Compiled Statutes of Nebraska, 1929; to amend Sections 68-101, 68-103, 68-105, 68-110, 68-111, 68-112, 68-113, 68-114, 68-115 and 68-116, C. S. Supp., 1937; and to repeal said original sections.

LEGISLATIVE BILL NO. 477. By Klaver of Douglas, Westley of Butler (By request).

A bill for an Act relating to the business or occupation of painting and decorating; to create a State Board of Examiners for the licensing of persons to carry on such business or occupation; for the prevention of fraud upon the public in the pursuit thereof; and to provide penalties for violation thereof.

LEGISLATIVE BILL NO. 478. By Callan of Gage.

A bill for an Act to amend Sec. 43-513, Comp. St. Supp., 1937, relating to assistance for delinquent, dependent and crippled children; to provide that funds of the State of Nebraska appropriated for aid to dependent children may be expended for dependent, neglected and destitute children under the age of eighteen years and needy crippled persons over the age of eighteen years in approved boarding homes, in an amount not to exceed in any year the sum of the federal fund accruing to the State Assistance Fund by matching the Mother's Pension levy; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 479. By Thomas of Douglas.

A bill for an Act to amend Section 89-112 Compiled Statutes of Nebraska, Supplement 1937, relating to weights and measures of agricultural products and to repeal said original section.

LEGISLATIVE BILL NO. 480. By Ernest A. Adams of Douglas, Tvrdik of Douglas, Norman of Douglas.

A bill for an Act to amend Section 29-2606, Compiled Statutes of Nebraska, 1929, and Section 29-2607, Compiled Statutes of Nebraska, 1929, relating to procedure of the board of pardons relative to the holding of hearings and the notice to witnesses; to provide that notice of date of hearing shall be served upon the complaining witness, if any, and upon the chief of police of the city in which applicant for pardon or parole committed the crime for which he was sentenced; and to declare an emergency.

LEGISLATIVE BILL NO. 481. By Tvrdik of Douglas.

A bill for an Act to amend Sec. 89-170, Comp. St. Supp., 1937, relating to weights and measures; to establish weights for standards of loaves of bread for the State of Nebraska; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 482. By Reed of Lancaster.

A bill for an Act relating to carriers; to require railways and railroad corporations or lessees thereof operating within the State of Nebraska and having their repair shops in the state to repair, renovate and rebuild and overhaul all defective or broken cars, coaches, locomotives or other equipment in the State of Nebraska; to prohibit any railway or railroad corporation from removing any defective cars out of the state to be repaired, renovated or rebuilt; and to provide penalties for the violation of the provisions of this Act.

LEGISLATIVE BILL NO. 483. By Garber of Webster.

A bill for an Act to amend Secs. 66-401 and 66-405, Comp. St. Supp., 1937, relating to motor vehicle fuels; to provide that refineries, their pipe line or barge terminals, shall not be deemed dealers as defined for purposes of taxing the sale or use of motor vehicle fuels sold to or used by licensed dealers in the State of Nebraska; to provide that persons importing fuels by pipe line or barge or refining said fuels within said state shall not pay the tax imposed thereon, until said fuels are used at or shipped from the terminal, tank farm, pipe line or refinery for consumption within the State of Nebraska; to repeal said original sections; and to declare an emergency.

LEGISLATIVE BILL NO. 484. By Van Diest of Loup (By request), Howard of McPherson, Klaver of Douglas, Carsten of Cass, Neubauer of Harlan, Westley of Butler.

A bill for an Act relating to children born out of wedlock, commonly or otherwise known as illegitimate children: to provide for the support of such children; to provide for the care during pregnancy, confinement and recovery of the mothers of such children; and to repeal Sections 9-101; 9-102; 9-103; 9-104; 9-105; 9-106; 9-107 and 9-108 of the Compiled Statutes of Nebraska, 1929.

LEGISLATIVE BILL NO. 485. By Petersen of Madison.

A bill for an Act to amend Section 24-1201 Compiled Statutes for 1929 relating to foreign corporations; to amend said section; to provide that in event any foreign corporation shall have undertaken to do business in Nebraska without having first appointed an agent upon whom service of process or other legal notice may be had, such action will be deemed the equivalent of appointment of the auditor of public accounts of Nebraska as such agent, by any such foreign corporation; to repeal said original section 24-1201, as now existing; and to declare an emergency.

LEGISLATIVE BILL NO. 486. By Norman of Douglas, Thomas of Douglas.

A bill for an Act to amend Section 79-2722, Compiled Statutes of

Nebraska, 1929, as amended by Section 2, Chapter 183, Session Laws of Nebraska, 1937, and by Section 6 (5), Chapter 176, Session Laws of Nebraska, 1937, relating to schools; to provide for increasing the aggregate school tax to a sum not exceeding fifteen mills on the dollar upon the actual value of all the taxable property of the district by a vote of the qualified electors of such district; to provide the manner in which such proposition shall be submitted and that the result of said election shall be certified and a tax levied in accordance therewith; to provide in case such proposition become effective for the creation of funds as follows: (a) Such fund for the general operation of schools as may be created by a levy of not to exceed ten and one-half mills. (b) A fund for the sole purpose of paying interest on retiring, funding or servicing existing bonded indebtedness of said district and for no other purpose such as may be created by a levy of not to exceed four mills on the dollar. (c) A fund to be known as "The Building Fund" and used solely for the purchase of school sites and grounds and for the construction of school buildings and additions to school buildings such as may be created by the levy of not to exceed one-half of a mill on a dollar. All of said levies to be made upon the actual valuation of all the property in said district subject to taxation; to repeal said original Section as amended as aforesaid.

LEGISLATIVE BILL NO. 487. By Tvrdik of Douglas.

A bill for an Act relating to school districts in metropolitan cities; to provide procedure for boards of education in said districts to issue bonds and to provide the maximum interest rate and the time for payment of said bonds; and to declare an emergency.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L. B. No.	Introducer	Committee Reference
202	Brodecky	Agriculture
203	Brodecky	Judiciary
204	Brodecky	Agriculture
205	Johnson, Westley	Agriculture
206	Reavis	Public Works
207	Mekota	Revenue
208	Craven	Agriculture
209	Gantz	Judiciary

210	Gantz	Government
211	Committee on Agr.	Agriculture
212	Neubauer	Agriculture
213	Hall	Banking, Com. & Ins.
214	Johnson	Revenue
215	Carlson	Public Works
216	Hastings	Government
217	Dunn	Banking, Com. & Ins.
218	Comm. on Education	Education
219	Ernest A. Adams, Tvrdik	Revenue
220	Peterson	Public Health & Misc. Subs.
221	Peterson, et al	Judiciary
222	Peterson	Judiciary
223	Peterson	Public Works
224	Howard	Public Works
225	Tvrdik	Revenue
226	Lambert	Banking, Com. & Ins.
227	Doyle	Education
228	Doyle	Public Health & Misc. Subs.
229	Doyle	Public Works
230	Gutoski	Government
231	Van Diest	Banking, Com. & Ins.
232	Tvrdik, et al	Government
233	Tvrdik, et al	Government
234	Tvrdik, et al	Labor & Public Welfare
235	J. Adams, Jr., Klaver	Public Works
236	Klaver	Judiciary
237	Mueller	Revenue
238	Dunn	Government
239	Tvrdik	Government
240	Rossiter	Agriculture
241	Tvrdik, J. Adams, Jr.	Government
242	Tvrdik, J. Adams, Jr.	Government
243	Tvrdik, J. Adams, Jr.	Government
244	Mischke	Education
245	Committee on Claims & Deficiencies	Claims & Deficiencies

MOTION—To Add Name of Co-introducer

Mr. President: I move that the name of Charles F. Tvrdik be added to L. B. No. 219 as a co-introducer. (Signed) E. A. Adams.

The motion prevailed.

MOTION—To Refer Claim of Harry Price

Mr. President: I move that the claim of Harry Price against the Department of Roads and Irrigation, to recover the sum of $1,391.50, be referred to the Committee on Claims and Deficiencies for its consideration. (Signed) Thomas.

The motion prevailed.

RESOLUTION

LEGISLATIVE RESOLUTION NO. 8. Introduced by Sam Klaver of Douglas.

Resolution Granting John P. C. Pedersen, Mattie C. Pedersen, Nels Juel, Viola M. Nelsen, Anna C. Nielsen, Henry F. Pedersen, Charles Wood, Frank Stepanek, John Stanek, Max Pitzl, Joe Steyskal, Anton Calta, John Kula, Stanley Steyskal, Freda Showalter and Nebraska Seed Company and each of them, either personally or by assignee in writing, permission and authority to sue the State of Nebraska in the District Court of Douglas County, Nebraska, for the alleged taking and damaging, or damaging, by the State of their respective property located in Douglas County in the year 1937 and 1938 for public use without compensation and directing the Attorney General of Nebraska to defend any action or actions brought by virtue thereof.

WHEREAS, it appears that differences exist between John P. C. Pedersen, Mattie C. Pedersen, Nels Juel, Viola M. Nelsen, Anna C. Nielsen, Henry F. Pedersen, Charles Wood, Frank Stepanek, John Stanek, Max Pitzl, Joe Steyskal, Anton Calta, John Kula, Stanley Steyskal, Freda Showalter and Nebraska Seed Company and each of them, residents and citizens of the State of Nebraska, of the one part, and the State of Nebraska, of the other part, relative to amounts due, if any, to the said named parties and each of them, from the State of Nebraska, for the alleged taking and damaging or damaging of their respective property located in Douglas County, Nebraska, by said State for public use without compensation in the years 1937 and 1938 resulting from the alleged damming up and impeding the flow of water in Papillion Drainage Ditch by the said State in the construction and maintenance of a bridge crossing said Papillion Drainage Ditch on State Highway No. 31, East of the Village of Ralston, Nebraska, thereby destroying levees and flooding respective lands of the persons, rendering the same untillable, unproductive, damaging growing crops, rents, profits or income during said years 1937 and 1938 and injuring the utility thereof for subsequent crop production and further for the improper construction and maintenance of two additional bridges on State

Highway No. 31, crossing a branch of the Big Pappio Creek, which flows in a north and easterly direction from the district south and east of the Village of Ralston and under a bridge being located on Highway No. 31, where said Highway turns westward, leading into the Village of Ralston and being south and east of the south end of Seymour Lake and another bridge located on said Highway under which the said branch of the Big Pappio flows, said bridge being on said Highway 31 and being immediately east of the railroad tracks and east of said Seymour Lake, the improper construction and maintenance of said two bridges allegedly causing the damming up and impeding of the flow of water in the said branch of the Big Pappio Creek of which said bridges are constructed and thereby destroying and flooding respective lands of the persons, rendering the same untillable and unproductive of crops, rents and profits, destroying growing crops and damage to buildings situated on the respective properties of the parties during the year 1937 and 1938 and injuring the utility of said properties for subsequent crop production and,

WHEREAS, it appears that such differences cannot be compromised or settled by the parties involved and it is necessary to adjust the same by adjudication in Courts of competent jurisdiction, and

WHEREAS, a multiplicity of actions can be avoided by permitting the prosecution of said claim by one individual pursuant to written assignments,

THEREFORE, BE IT RESOLVED by the Legislature of the State of Nebraska, Fifty-third Session, had and held in the State Capitol in the City of Lincoln in the year 1939, that the said Nels Juel, John P. C. Pedersen, Mattie C. Pedersen, Viola M. Nelsen, Anna C. Nielsen, Henry F. Pedersen, Charles Wood, Frank Stepanek, John Stanek, Max Pitzl, Joe Steyskal, Anton Calta, John Kula, Stanley Steyskal, Freda Showalter and Nebraska Seed Company and each of them or one of them for himself and as assignee in writing of the others, be and are hereby authorized and empowered to commence in the Court hereinafter named and maintain and prosecute to final judgment an action or actions upon said claims for the alleged taking and damaging, or damaging, of their respective property by the said Acts of the State of Nebraska.

BE IT FURTHER RESOLVED that the District Court of Douglas County, Nebraska, is hereby empowered to hear, determine and adjudicate said action or actions according to law and the Attorney General of the State of Nebraska is hereby directed to take charge of the defense of said action or actions for and on behalf of said State.

MOTION—To Refer to Standing Committee

Mr. President: I move that Resolution No. 8 be referred to the Committee on Claims and Deficiencies. (Signed) Klaver.

The motion prevailed.

Adjournment

At 5:25 p. m. on motion by Mr. Neubauer the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

TWENTY-FIRST DAY

Legislative Chamber,
Lincoln, Nebraska, January 31, 1939.

The Legislature met at 9:10 a. m., President Johnson presiding.

Reverend John F. Streng of Beatrice led the Legislature in prayer.

The roll was called and all members were present.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Carsten, one, favoring the measure to make the Platte River bridge at Louisville toll free; Mr. Mueller, one, favoring L. B. No. 17; Mr. Brodecky, one, favoring the present dairy law; Mr. Doyle, three, favoring the teachers' retirement bill; Mr. Gantz, one, favoring repeal of the Anti-picketing law; all members, one, opposing a cut in W P A allotments, four, opposing L. B. No. 37.

Communications

A letter was read from Victor McGonigle, a former member of the Legislature, enclosing a musical composition by himself.

NOTICE OF COMMITTEE HEARINGS

Education

L. B. No. 41, Monday, February 6, 1939, 2:00 p. m.

L. B. No. 66, Monday, February 6, 1939, 2:00 p. m.

L. B. No. 68, Monday, February 6, 1939, 2:00 p. m.

L. B. No. 119, Monday, February 6, 1939, 2:00 p. m.

L. B. No. 139, Monday, February 6, 1939, 2:00 p. m.

L. B. No. 140, Monday, February 6, 1939, 2:00 p. m.

L. B. No. 152, Monday, February 6, 1939, 2:00 p. m.

L. B. No. 61, Monday, February 13, 1939, 2:00 p. m.

L. B. No. 218, Monday, February 13, 1939, 2:00 p. m.

MOTION—To Add Name of Co-introducer

Mr. President: I move that Mr. Dunn's name be added as a co-introducer to L. B. No. 202. (Signed) Brodecky.

The motion prevailed.

MOTION—Proposal to Amend Rules.

Mr. President: I move that the clerks of the several Standing Committees of this Legislature be directed to submit all bills which their respective committees order placed on General File with amendments, to the General Counsel of the Nebraska Legislative Reference Bureau, 1106 State Capitol, for phrasing said reports; and that each report before it shall be accepted by the Clerk of this Legislature bear thereon the approval in writing of the General Counsel for said bureau, indicating corrections as to form and substance; and that the Committee on Rules of this Legislature consider the feasibility of amending the rules of this Legislature to conform to said motion, if said committee deems it necessary to do so. (Signed) Diers.

MOTION—To Amend Proposal.

Mr. President: I move that the proposal be amended, to read as follows:

"That the clerks of the several Standing Committees of this Legislature be directed to submit all bills which their respective committees order placed on General File with amendments, to the General Counsel of the Nebraska Legislative Reference Bureau, 1106 State Capitol, for suggested phrasing of said amendments; and that each report before it shall be accepted by the Clerk of this Legislature bear thereon

the suggestions in writing of the General Counsel for said bureau, indicating his opinion as to the correctness as to form and substance."
(Signed) Craven.

The President referred Mr. Diers' proposal to the Committee on Rules.

MOTION—To Refer Amendment.

Mr. President: I move that my amendment be referred with the original proposal. Craven.

The motion prevailed with 31 ayes, 2 nays, 10 not voting.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L. B. No.	Introducer	Committee Reference
142	Garber	Public Works
246	Craven	Judiciary
247	Craven	Revenue
248	Craven	Judiciary
249	Craven	Judiciary
250	Craven	Government
251	Craven	Judiciary
252	Craven	Judiciary
253	Craven	Public Works
254	Craven	Judiciary
255	Craven	Public Works
256	Hall	Public Works
257	Hall	Banking, Com. & Ins.
258	Reavis	Banking, Com. & Ins.

259	E. A. Adams, Hall	Banking, Com. & Ins.
260	Dunn	Banking, Com. & Ins.
261	Dunn	Banking, Com. & Ins.
262	Dunn, et al	Labor & Public Welfare
263	Dunn, et al	Revenue
264	Dunn	Revenue
265	Dunn	Labor & Public Welfare
266	Dunn	Judiciary
267	Craven	Judiciary
268	Craven	Judiciary
269	Van Diest	Education
270	Dunn	Labor & Public Welfare
271	Dunn	Labor & Public Welfare
272	Reed, Van Diest	Agriculture
273	Van Diest, et al	Public Works
274	Hastings	Banking, Com. & Ins.
275	Reavis	Public Works
276	Carsten	Public Works
277	Carsten	Agriculture
278	Carsten	Agriculture
279	Dunn	Labor & Public Welfare
280	Dunn	Banking, Com. & Ins.
281	Dunn	Banking, Com. & Ins.
282	Gross, Howard	Agriculture
283	Brady	Agriculture
284	Thornton	Judiciary
285	Von Seggern	Government
286	Von Seggern	Government
287	Diers	Agriculture

288	Diers	Revenue
289	Diers, Johnston	Agriculture
290	Hastings	Government
291	Hastings	Government
292	Von Seggern	Agriculture
293	Hall	Judiciary
294	Hall	Public Works
295	Hall	Banking, Com. & Ins.
296	Hall	Government
297	Hastings, et al	Government
298	Mischke	Agriculture
299	Gantz	Judiciary
300	Gantz	Judiciary
301	Gantz	Judiciary
302	Tvrdik	Government
303	Johnson	Public Health & Misc. Subs.
304	Johnson	Banking, Com. & Ins.
305	Johnson	Labor & Public Welfare
306	Howard	Public Works
307	Brady	Government
308	Brady	Government
309	Howard, et al	Agriculture

MOTION—To Add Name of Co-introducer

Mr. President: I move that my name be added as a co-introducer to L. B. No. 473 and L. B. No. 474. (Signed) Thornton.

The motion prevailed.

Mr. President: I move that my name be added as a co-introducer to L. B. No. 458. (Signed) Ashmore.

The motion prevailed.

GENERAL FILE

Mr. Carsten presiding.

A group of one hundred women from Douglas, Washington and Sarpy counties, representing the Women's Clubs of Nebraska, was introduced to the Legislature by the presiding officer.

LEGISLATIVE BILL NO. 5. Passed over.

LEGISLATIVE BILL NO. 32. Read and considered.

Standing Committee amendments 1 and 2 as found in the Legislative Journal for the Eighteenth Day were adopted.

Laid over for further consideration.

LEGISLATIVE BILL NO. 30 Read and considered.

By unanimous consent the following names were added as co-introducers: Amos Thomas of Douglas, John Adams, Jr. of Douglas, Peter P. Gutoski of Douglas.

Laid over for one day.

LEGISLATIVE BILL NO. 10. Read and considered.

Motion by Von Seggern to adopt Standing Committee amendments.

John Adams, Jr. requested a division of the question.

Substitute motion by Brady prevailed to indefinitely postpone.

President Johnson presiding.

LEGISLATIVE BILL NO. 40. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Nineteenth Day were adopted.

General File amendments to L. B. No. 40 adopted:

Sec. 7, line 2 after comma, following word "unless" insert the word "in".

On printed bill strike comma following the word "general" and insert "partner" in line 3 of Sec. 12, page 4.

Strike the word "and" in line 6 of Section 13 and substitute the word "any" therefor.

Report progress.

Adjournment

At 12:04 p. m. on motion by Mr. Reed the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

TWENTY-SECOND DAY

Legislative Chamber,
Lincoln, Nebraska, February 1, 1939.

The Legislature met at 9:10 a. m., President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Twentieth Day was approved as corrected.

The Journal for the Twenty-first Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Gantz, one, opposing the Anti-picketing Law; Mr. Brodecky, one, opposing the automobile testing law, one, favoring L. B. No. 1; Mr. Carsten, one, favoring the measure to make the Platte River bridge at Louisville toll free; Mr. Garber, one, favoring the teachers' retirement bill; Ernest Adams, one, Mr. Westley, one, opposing L. B. No. 37.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. No. 138, Tuesday, February 7, 1939, 2:00 p. m.

Revenue

L. B. No. 12, Tuesday, February 7, 1939, 2:00 p. m.

L. B. No. 81, Thursday, February 9, 1939, 2:00 p. m.

Labor and Public Welfare

Legislative Resolution No. 3. To memorialize the committee on ways and means of the House of Representatives to give public hearing and consideration to H. R. 2, 76th Congress, first session; Thursday, February 9, 1939, 7:00 p. m., in old Senate Chamber.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL NO. 63.	Indefinitely postponed.
LEGISLATIVE BILL NO. 151.	Rerefer to Committee on Judiciary. (Signed) Neubauer, Chairman.

L. B. No. 151 so referred.

Enrollment and Review

LEGISLATIVE BILL NO. 39.	Placed on Select File.
LEGISLATIVE BILL NO. 27.	Placed on Select File.
LEGISLATIVE BILL NO. 22.	Placed on Select File. (Signed) Craven, Chairman.

MOTION—To Suspend Rules.

Mr. President: I move that the rules be suspended to permit Dr. Miller to introduce a bill to be known as L. B. No. 326, consolidating and redrafting the subject matter now contained in L. B. No. 326 and L. B. No. 327. (Signed) Schultz.

The motion prevailed with 39 ayes, no nays, 4 not voting.

Unanimous consent was granted to withdraw L. B. No. 326 and L. B. No. 327.

By unanimous consent the President rereferred L. B. No. 247 to Committee on Public Works.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
310	Craven, Johnston	Public Works
311	Mischke	Revenue
312	Herrick, et al	Appropriations
313	Craven, Brady	Banking, Com. & Ins.
314	Rossiter, Hall	Banking, Com. & Ins.
315	Herrick	Education
316	Craven	Agriculture
317	Herrick	Public Works
318	Gantz, Johnson	Judiciary
319	Gantz	Public Works
320	Gantz	Government
321	Brodecky	Agriculture
322	Lambert	Public Works
323	Lambert	Government
324	Miller, et al	Government
325	Miller	Government
328	Miller	Government
329	Miller	Education
330	Murphy, Dunn	Public Health & Misc. Subs.
331	Miller	Public Works
332	Johnson, et al	Judiciary
333	Miller, Murphy	Agriculture
334	Murphy, Howard	Agriculture
335	Murphy	Public Works
336	Brodecky, et al	Government

337	Miller	Government
338	Rossiter, Schultz	Government
339	Miller	Public Works
340	Gantz	Judiciary
341	Van Diest, et al	Agriculture
342	Klaver	Judiciary
343	Craven	Judiciary
344	Westley, et al	Agriculture
345	Van Diest	Government
346	Van Diest	Government
347	Van Diest	Government
348	Doyle	Public Works
349	Craven	Judiciary
350	Doyle	Public Works
351	Doyle	Labor & Public Welfare
352	Johnston, et al	Government
353	Mekota	Banking, Com. & Ins.
354	Mekota	Banking, Com. & Ins.
355	Thomas, et al	Revenue
356	J. Adams, Jr.	Public Works
357	Rossiter	Education
358	Sorrell	Labor & Public Welfare
359	Sorrell, et al	Revenue
360	Sorrell	Labor & Public Welfare
361	Sorrell	Judiciary
362	J. Adams, Jr.	Labor & Public Welfare
363	Peterson	Judiciary
364	Peterson	Judiciary
365	Peterson	Banking, Com. & Ins.
366	Peterson	Judiciary

367	Peterson	Public Health & Misc. Subs.
368	Peterson	Public Health & Misc. Subs.
369	Gutoski, Hastings	Judiciary
370	Gutoski, et al	Government
371	J. Adams, Jr.	Public Health & Misc. Subs.
372	Gutoski	Judiciary
373	Klaver, et al	Public Health & Misc. Subs.
374	Klaver, et al	Public Health & Misc. Subs.
375	Klaver	Judiciary
376	Herrick	Government
377	Diers, et al	Public Works
378	Garber	Government
379	Klaver	Judiciary
380	Klaver	Banking, Com. & Ins.
381	Klaver	Banking, Com. & Ins.
382	Norman, et al	Judiciary
383	Norman, Tvrdik	Public Works
384	Norman, Tvrdik	Judiciary
385	Klaver	Judiciary
386	Von Seggern	Public Works
387	Klaver	Revenue
388	Tvrdik, et al	Revenue
389	Doyle	Labor & Public Welfare
390	Doyle	Appropriations
391	Mueller	Public Works
392	Mueller	Public Health & Misc. Subs.
393	Mueller	Government
394	Mueller, et al	Government
395	Mueller	Public Works
396	Mueller, et al	Government

397	Mueller, Carlson	Agriculture
398	Neubauer	Agriculture
399	Gutoski	Judiciary
400	Carlson	Revenue
401	Dunn	Revenue
402	Thomas	Public Health & Misc. Subs.
403	Doyle	Labor & Public Welfare
404	Klaver	Judiciary
405	Klaver	Revenue
406	Reed, Craven	Banking, Com. & Ins.
407	Thomas, et al	Revenue
408	Comm. on Judiciary	Judiciary
409	Mueller, et al	Agriculture
410	Thomas	Government

Add Name of Co-introducer

By unanimous consent Mr. Schultz' name was added as a co-introducer to L. B. No. 336.

Mr. Carsten introduced to the Legislature a group of members of the South Ashland Women's Club of Greenwood and their husbands.

GENERAL FILE

Mr. Von Seggern presiding.

LEGISLATIVE BILL NO. 5. Passed over.

LEGISLATIVE BILL NO. 32. Referred to E and R for review.

LEGISLATIVE BILL NO. 30. Referred to E and R for review.

Add the name of Amos Thomas, Peter P. Gutoski and John Adams, Jr., as co-introducers.

LEGISLATIVE BILL NO. 40. Read and considered.

General File amendments to L. B. 40 adopted:

1. Amend the original bill, page 8, Section 14, line 2 (page 5, Section 14, line 1 of the printed bill) by inserting the punctuation "," after the word "partners" and before the definite article "the" therein.

2. Amend the original bill, page 9, Section 17, line 1 (page 6, Section 17, line 1 of the printed bill) by striking "(a)" and by inserting in lieu thereof "(1)".

3. Amend the original bill, page 10, Section 19, line 1 (page 6, Section 19, line 1 of the printed bill) by striking "(a)" therein and by inserting in lieu thereof "(1)".

4. Amend the standing committee amendments, page 1, paragraph 2, line 4 by striking "act" therein and by inserting in lieu thereof the word "Act"; and in lines 4 and 5 of said paragraph 2 underscore the word "Limited" and the abbreviation "Ltd." so that said word and said abbreviation will appear in italics in the printed bill, Final Form on Third Reading.

Report progress.

LEGISLATIVE BILL NO. 35. Recalled from E and R and replaced on General File.

Mr. Callan was excused from the session Thursday, February 2.

Adjournment

At 11:55 a. m. on motion by Mr. Schultz the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

TWENTY-THIRD DAY

Legislative Chamber,
Lincoln, Nebraska, February 2, 1939.

The Legislature met at 9:08 a. m., President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Twenty-second Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Norman, one, Mr. Gutoski, three, Mr. Tvrdik, eight, Mr. Dunn, one, Mr. Craven, one, all opposing L. B. No. 37; Mr. Gutoski, one, opposing the Anti-picketing Law; Mr. Carsten, sixteen, Mr. Norman, two, favoring the measure to make the Platte River bridge at Louisville toll free.

Invitation

An invitation was extended, by Governor and Mrs. Cochran, to the members of the Legislature, their wives, and others, to call at the mansion next Sunday afternoon February fifth from three to six o'clock.

An invitation was extended, by the Loup River Public Power District, to the members of the Legislature and their wives, to a week-end party at Columbus and Genoa, on February 25, 1939.

On motion by Mr. Lambert, the invitation was accepted.

NOTICE OF COMMITTEE HEARINGS

Committee on Committees

Appointment of Mr. Carl Horn of Hay Springs, Nebraska, as a member of the Game, Forestation and Parks Commission. Wednesday, February 8, at 1:00 o'clock.

Appointment of William A. Bruce of Verdigre as a member of the State Board of Control. Wednesday, February 8, at 4:00 o'clock.

Government

L. B. No. 34, Wednesday, February 8, 1939, 2:00 p. m.

L. B. No. 135, Wednesday, February 8, 1939, 2:00 p. m.

L. B. No. 160, Wednesday, February 8, 1939, 2:00 p. m.

L. B. No. 165, Wednesday, February 8, 1939, 2:00 p. m.

L. B. No. 166, Wednesday, February 8, 1939, 2:00 p. m.

L. B. No. 167, Wednesday, February 8, 1939, 2:00 p. m.

Judiciary

L. B. No. 93, Wednesday, February 8, 2:00 p .m.

L. B. No. 103, Wednesday, February 8, 2:00 p. m.

L. B. No. 105, Wednesday, February 8, 2:00 p. m.

L. B. No. 110, Wednesday, February 8, 2:00 p. m.

Public Health and Miscellaneous Subjects

L. B. No. 104, Wednesday, February 15, 1939, 2:00 p. m.

Public Works

L. B. No. 111, Wednesday, February 8, 1939, 2:00 p. m.

L. B. No. 121, Wednesday, February 8, 1939, 2:00 p. m.

L. B. No. 122, Wednesday, February 8, 1939, 2:00 p. m.

L. B. No. 123, Wednesday, February 8, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL NO. 43. Placed on General File.
(Signed) Von Seggern, Chairman.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
411	J. Adams, Jr.	Education
412	J. Adams, Jr.	Banking, Com. & Ins.
413	E. Adams, et al	Government
414	Westley	Government
415	Dunn	Claims and Deficiencies

Speaker Diers presiding.

L.B. No.	Introducer	Committee Reference
416	Hastings	Government
417	E. Adams	Public Health & Misc. Subs.
418	Klaver	Public Health & Misc. Subs.
419	Westley	Public Works
420	Von Seggern	Claims and Deficiencies
421	Neubauer	Public Health & Misc. Subs.
422	Mueller	Revenue
423	Doyle, Howard	Banking, Com. & Ins.
424	Klaver	Labor & Public Welfare
425	Brady, et al	Agriculture
426	E. Adams	Banking, Com. & Ins.
427	Craven, Dunn	Labor & Public Welfare
428	Gantz	Judiciary
429	Rossiter, J. Adams, Jr.	Public Works
430	Johnston, Craven	Public Works
431	Hall	Revenue

432	Schultz	Public Health & Misc. Subs.
433	Brodecky, et al	Public Health & Misc. Subs.
434	Sorrell	Agriculture
435	Carsten	Banking, Com. & Ins.
436	Johnson	Banking, Com. & Ins.
437	Thomas	Judiciary
438	Reed	Agriculture
439	Reavis, Westley	Public Health & Misc. Subs.
440	Reavis, Westley	Government
441	Carsten	Government
442	Thomas	Judiciary
443	Dunn, Neubauer	Labor & Public Welfare
444	Gross	Public Health & Misc. Subs.
445	Dunn	Labor & Public Welfare
446	Dunn	Agriculture
447	Dunn	Labor & Public Welfare
448	J. Adams, Jr.	Labor & Public Welfare
449	Doyle	Government
450	Doyle, J. Adams, Jr.	Public Health & Misc. Subs.
451	Doyle	Labor & Public Welfare
452	Doyle	Revenue
453	Hall	Government
454	Craven, Dunn	Judiciary
455	Craven, et al	Judiciary
456	Craven, et al	Revenue
457	Sorrell	Public Works
458	Brady, et al	Government
459	Hall	Government
460	Committee on Appropriations	Appropriations
461	Committee on Appropriations	Appropriations
462	Committee on Appropriations	Appropriations

463	Gutoski	Government
464	Reed	Labor & Public Welfare
465	Callan	Education
466	Doyle	Public Health & Misc. Subs.
467	Peterson	Public Works
468	Peterson	Banking, Com. & Ins.
469	Mueller	Public Health & Misc. Subs.
470	Van Diest	Revenue
471	Thomas, Diers	Appropriations
472	Thomas, et al	Revenue
473	E. Adams, et al	Education
474	E. Adams, et al	Appropriations
475	Gutoski	Labor & Public Welfare
476	Tvrdik	Public Health & Misc. Subs.
477	Klaver, Westley	Labor & Public Welfare
478	Callan	Public Health & Misc. Subs.
479	Thomas	Agriculture
480	E. Adams, et al	Judiciary
481	Tvrdik	Agriculture
482	Reed	Labor & Public Welfare
483	Garber	Revenue
484	Van Diest	Public Health & Misc. Subs.
485	Peterson	Judiciary
486	Norman, Thomas	Revenue
487	Tvrdik	Revenue

GENERAL FILE

Mr. Miller presiding.

LEGISLATIVE BILL NO 5. Passed over.

LEGISLATIVE BILL NO. 40. Referred to E and R for review.

LEGISLATIVE BILL NO. 42. Read and considered.
Referred to E and R for review.

LEGISLATIVE BILL NO. 49. Retains place on file.

LEGISLATIVE BILL NO. 59. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Twentieth Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 31. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Twentieth Day were adopted, with unanimous consent granted to strike the word "said" following the word "of" and preceding the word "vacancies" in the amendment to the title.

Referred to E and R for review.

LEGISLATIVE BILL NO. 35. Read and considered.

General File amendments to L. B. No. 35 adopted:

Amend Section 1 of L. B. No. 35 as now amended by striking out lines 15, 16, and 17 thereof, as now amended and by inserting in lieu thereof, the following: "If the clerk of the District Court thinks necessary, said clerk may with the approval of the county board be allowed one deputy at a compensation of not to exceed one-half the amount paid the clerk of the court in counties having less than eighteen thousand inhabitants, and at a compensation equivalent to one-half the amount paid to said clerk in counties having eighteen thousand or more inhabitants, for the time actually employed."

Referred to E and R for review.

LEGISLATIVE BILL NO. 43. Read and considered.

Referred to E and R for review.

Mr. Gantz and Mr. Gross were excused at 10:30 a. m.

Adjournment

At 11:46 a. m. Mr. Murphy moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Friday.

The motion prevailed with 34 ayes, no nays, 9 not voting.

Hugo F. Srb,
Clerk of the Legislature.

TWENTY-FOURTH DAY

Legislative Chamber,
Lincoln, Nebraska, February 3, 1939.

The Legislature met at 10:03 a. m., Speaker Diers presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Twenty-third Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Brodecky, one, opposing L. B. No. 2 and L. B. No. 17; Mr. Herrick, one, opposing the Anti-picketing Law; Mr. Carlson, one, favoring the itinerant merchants law; Mr. Carsten, one, favoring the measure to make the Louisville bridge toll free; Mr. Sorrell, one, favoring L. B. No. 1.

Invitation

An invitation was extended to the members of the Legislature, by the Kiwanis Club of Lincoln, to attend its regular noon-day meeting on Friday, February 10, 1939.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. No. 202, Thursday, February 9, 1939, 2:00 p. m.

L. B. No. 204, Thursday, February 9, 1939, 2:00 p. m.

Banking, Commerce and Insurance

L. B. No. 85, Thursday, February 9, 1939, 2:00 p. m.

LEGISLATIVE RESOLUTION No. 7:

Thursday, February 9, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL NO. 37. Indefinitely postponed.
(Signed) Hall, Chairman.

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL NO. 72. Placed on General File.
(Signed) Miller, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 9. Placed on Select File with amendments.

E and R amendments to L. B. No. 9:

1. Strike all of the amendments of the Committee on Judiciary.

2. Amend the original bill, page 2, Section 1, line 15 (page 1, Section 1, line 12 of the printed bill) by striking therefrom the following:

", upon proper claims filed,".

3. Amend the original bill, page 2, Section 1, line 16 (page 1, Section 1, line 13 of the printed bill) by inserting after the word "fund" and before the punctuation "." the following:

", upon proper claims approved by a majority of the district judges in said judicial district and duly filed with said board".

4. Amend the original bill, title, page 1, line 2 (title, page 1, line 2 of the printed bill); page 1, Section 1, line 1 of the original bill (page

1, Section 1, line 1 of the printed bill); page 2, Section 2, line 2 of the original bill (page 2, Section 2, line 1 of the printed bill) by striking the abbreviations and punctuations "C. S." wherever the same appear in each of said lines respectively and by inserting in each of said lines in lieu thereof the following:

"Comp. St.".

5. Amend the original bill, title, page 1, line 2 (title page 1, line 2 of the printed bill); page 1, Section 1, line 1 of the original bill (page 1, Section 1, line 1 of the printed bill); and page 2, Section 2, line 1 of the original bill (page 2, Section 2, line 1 of the printed bill) by striking the word "Section" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the abbreviation and punctuation: "Sec.".

(Signed) Craven, Chairman.

SELECT FILE

Mr. Schultz presiding.

LEGISLATIVE BILL NO. 39. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 27. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 22. Referred to E and R for engrossment.

GENERAL FILE

LEGISATIVE BILL NO. 5. Passed over.

LEGISLATIVE BILL NO. 49. Considered.

Mr. Lambert offered the following amendment:

1. Amend the printed bill, page 1, Section 1, line 4 by inserting after the word and punctuation "corporation," therein the following: **"acting as a retail dealer".**

2. Amend the printed bill, page 1, title, line 5 by inserting after the word "any" and before the word "retail" therein the following:

"person, partnership or corporation, acting as a".

Mr. Diers offered the following substitute:

Sec. 1, line 4 (printed bill) by striking the words "keep for sale, or give away".

The substitute motion prevailed.

Mr. Reavis moved that L. B. No. 49 be referred to the Committee on Government for further consideration and correction.

Mr. Gantz offered a substitute motion to

Add after the punctuation (,) after the word corporation in line 4, the words "acting as a retailer or wholesaler of tobaccos" and strike Diers' amendment.

The substitute motion prevailed.

Referred to E and R for review.

Mr. Brodecky was excused for the session on Monday the sixth.

Adjournment

At 11:15 a. m. Mr. Tvrdik moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Monday.

The motion prevailed with 33 ayes, no nays, 10 not voting.

Hugo F. Srb,
Clerk of the Legislature.

TWENTY-FIFTH DAY

Legislative Chamber,
Lincoln, Nebraska, February 6, 1939.

The Legislature met at 10:05 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Carsten and Mr. Brodecky who were excused.

The Journal for the Twenty-fourth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Carlson, one favoring L. B. No. 2 and L. B. No. 17, passed at the 1937 session; Mr. Mischke and Mr. Diers, each, one, opposing the automobile testing law; Mr. Schultz, one, favoring L. B. No. 139 and opposing L.. B. No. 152; Mr. Herrick, one, opposing L. B. No. 118; Mr. Lambert, one, favoring amendment to the law regarding bonds required of county judges; Mr. Howard, one, favoring L. B. No. 12; Mr. Ashmore, one, favoring L. B. No. 23, L. B. No. 24, L. B. No. 25 and L. B. No. 26; all members, one, favoring L. B. No. 5, L. B. No. 486, L. B. No. 30 and L. B. No. 40, and one favoring L. B. No. 61.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. No. 58, Friday, February 10, 1939, 2:00 p. m.

L. B. No. 239, Friday, February 10, 1939, 2:00 p. m.

L. B. No. 241, Friday, February 10, 1939, 2:00 p. m.

L. B. No. 242, Friday, February 10, 1939, 2:00 p. m.

L. B. No. 243, Friday, February 10, 1939, 2:00 p. m.

Judiciary

L. B. No. 157, Monday, February 13, 1939, 2 p. m.

L. B. No. 172, Monday, February 13, 1939, 2 p. m.

L. B. No. 209, Monday, February 13, 1939, 2 p. m.

Public Health and Miscellaneous Subjects

L. B. No. 28, Friday, February 10, 1939, 2:00 p. m.

L. B. No. 180, Friday, February 10, 1939, 2:00 p. m.

L. B. No. 183, Friday, February 10, 1939, 2:00 p. m.

L. B. No. 421, Friday, February 17, 1939, 2:00 p. m.

L. B. No. 432, Friday, February 17, 1939, 2:00 p. m.

L. B. No. 439, Friday, February 17, 1939, 2:00 p. m.

L. B. No. 450, Friday, February 17, 1939, 2:00 p. m.

Public Works

L. B. No. 144, Friday, February 10, 1939, 2:00 p. m.

L. B. No. 145, Friday, February 10, 1939, 2:00 p. m.

(Rehearing)

L. B. No. 50, Wednesday, February 8, 1939, 2:00 p. m.

L. B. No. 109, Wednesday, February 8, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL NO. 65. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 65:

1. Amend the original bill, pages 2 and 3, Section 1, lines 43 to 52 inclusive (the printed bill, page 2, Section 1, lines 33 to 40 in-

clusive) by restoring the stricken matter therein to the original text of said section.

2. Amend the original bill, page 3, Section 1, line 47 (the printed bill, page 2, Section 1, line 36) by striking the word "ten" and by inserting in lieu thereof the word **"fourteen"**.

(Signed) Hall, Chairman.

Judiciary

LEGISLATIVE BILL NO. 11. Placed on General File.

LEGISLATIVE BILL NO. 77. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 77:

1. Amend the original bill, page 1, title, line 3 (the printed bill, page 1, title, line 3) by striking therefrom "Decedents' " and by inserting in lieu thereof "decedents' ".

2. Amend the original bill, page 1, Section 2, line 1 (the printed bill, page 1, Section 2, line 1) by striking therefrom the word "section" and by inserting in lieu thereof the word "Section".

(Signed) Thomas, Chairman.

Public Works

LEGISLATIVE BILL NO. 95. Indefinitely postponed.

LEGISLATIVE BILL NO. 96. Indefinitely postponed.

(Signed) Howard, Chairman.

Revenue

LEGISLATIVE BILL NO. 52. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 52:

1. Amend the original bill, page 2, Section 1, line 30 (the printed bill, page 2, Section 1, line 23) by striking therefrom "Section 2," therein and by inserting in lieu thereof:

"Sec. 53-302, Comp. St. Supp., 1937,".

2. Amend the original bill, page 3, Section 1, line 69 (the printed bill, page 2, Section 1, line 53); and the original bill, page 4, Section 2,

line 13 (the printed bill, page 3, Section 2, line 10) by inserting after the figures "1937", wherever the same appear in each of said lines respectively the following:

", as now existing, or as hereafter amended".

LEGISLATIVE BILL NO. 14. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 14:

1. Amend the original bill, page 1, title, lines 4 and 5 (the printed bill, title, lines 3 and 4) by striking therefrom "when this Act becomes a law to said date," and insert in lieu thereof "March 19, 1937,".

2. Amend the original bill, page 2, Section 1, lines 5 and 6 (the printed bill, page 1, Section 1, line 5); the original bill, page 2, Section 1, line 10 (the printed bill, page 1, Section 1, lines 8 and 9; the original bill, page 2, Section 1, line 13 (the printed bill, page 2, Section 1, line 11); the original bill, page 2, Section 1, lines 16 and 17 (the printed bill page 2, Section 1, line 14); the original bill, page 2, Section 1, lines 23 and 24 (printed bill, page 2, Section 1, line 19); the original bill, page 4, Section 2, lines 45 and 46 (the printed bill, page 3, Section 2, line 35); the original bill, page 4, Section 2, line 50 (the printed bill, page 3, Section 2, line 39); the original bill, page 4, Section 2, line 53 (the printed bill, page 3, Section 2, lines 41 and 42); the original bill, page 4, Section 2, line 57 (the printed bill, page 3, Section 2, line 44); and the original bill, page 4, Section 2, lines 63 and 64 (the printed bill, page 3, Section 2, lines 49 and 50), by striking "the day on which this Act becomes a law" or by striking "the date when this Act becomes a law", wherever the same appears in each of said lines and sections respectively and by inserting in lieu thereof in each of said lines and sections respectively **"March 19, 1937".**

3. Amend the original bill, page 11, Section 9, line 4 (the printed bill, page 8, Section 9, line 3) by striking "dinquent" and by inserting in lieu thereof "delinquent".

4. Amend the original bill, page 31, by inserting immediately after Section 22, line 44, (the printed bill, page 22, by inserting immediately after Section 22, line 34,) an omitted section as follows:

"Sec. 23. That Sec. 77-2001, Comp. St. Supp., 1937, be amended to read as follows:

77-2001. All real estate on which the taxes shall not have been paid, as provided by law, on or before the first Monday of November after they become delinquent, shall be subject to sale on said date or as herein provided: **Provided,** that the above provisions of this section shall be subject to the provisions of Sections 1 and 2 ~~(77-1963, 77-1959)~~ of ~~this Act~~ **Legislative Bill No. 14, Fifty-third Session, Nebraska State Legislature, 1939.**

5. Amend the printed bill, Sections 2 to 42, inclusive, by striking the first word "Section" in line 1 in each of said sections respectively, and by inserting in lieu thereof "Sec."

6. Amend the original bill, page 48, Section 41, line 9 (the printed bill, page 33, Section 41, line 7), by striking "said original" therein.

7. Amend the original bill, title, page 1, line 8 (printed bill, page 1, title, line 5); the original bill page 2, Section 1, line 8 (the printed bill, page 1, Section 1, line 7); and the original bill, page 4, Section 2, line 48 (the printed bill, page 3, Section 2, line 38), by striking the figures "**1940**" wherever the same appear in each of said lines respectively and by inserting in lieu thereof the figures "**1939**".

8. Amend the original bill, page 5, Section 3, line 21 (the printed bill, page 4, Section 3, line 17); the original bill, page 6, Section 4, line 42 (the printed bill, page 5, Section 4, line 33); the original bill, page 9, Section 5, line 70 (the printed bill, page 6, Section 5, line 55); the original bill, page 9, Section 6, line 11 (the printed bill, page 7, Section 6, line 9); the original bill, page 10, Section 7, line 32 (the printed bill, page 7, Section 7, line 26); the original bill, page 11, Section 8, line 21 (the printed bill, page 8, Section 8, line 17); the original bill, page 12, Section 9, line 31 (the printed bill, page 9, Section 9, line 24); the original bill, page 12, Section 10, line 13 (the printed bill, page 9, Section 10, line 11); the original bill, page 13, Section 11, line 19 (the printed bill, page 9, Section 11, line 15); the original bill, page 13, Section 12, line 12 (the printed bill, page 10, Section 12, line 10); the original bill, page 14, Section 13, line 22 (the printed bill, page 10, Section 13, line 17); the original bill, page 17, Section 14, line 71 (the printed bill, page 12, Section 14, line 56); the original bill, page 20, Section 15, line 107 (the printed bill, page 14, Section 15, line 87); the original bill, page 21, Section 16, line 16 (the printed bill, page 15, Section 16, line 12); the original bill, page 22, Section 17, line 49 (the printed bill, page 16, Section 17, line 38); the original bill, page 25, Section 18, line 40 (the printed bill, page 17, Section 18, line 53); the original bill, page 25, Section 19, line 23, (the printed bill, page 18, Section 19, line 18); the original bill, page 26, Section 20, line 25 (the

printed bill, page 18, Section 20, line 20); the original bill, page 29, Section 21, line 91 (the printed bill, page 21, Section 21, line 72); the original bill, page 31, Section 22, line 43 (the printed bill, page 22, Section 22, line 33); the original bill, page 32, Section 24, line 18 (the printed bill, page 22, Section 24, line 15); the original bill, page 33, Section 25, line 20 (the printed bill, page 22, Section 25, line 17); the original bill, page 34, Section 26, line 34 (the printed bill, page 23, Section 26, line 28); the original bill, page 35, Section 27, line 23 (the printed bill, page 24, Section 27, line 19); the original bill, page 36, Section 28, line 37 (the printed bill, page 25, Section 28, line 30); the original bill, page 37, Section 29, line 35 (the printed bill, page 26, Section 29, line 28); the original bill, page 38, Section 30, line 14 (the printed bill, page 26, Section 30, line 11); the original bill, page 38, Section 31, line 22 (the printed bill, page 26, Section 31, line 18); the original bill, page 39, Section 32, line 28 (the printed bill, page 27, Section 32, line 22); the original bill, page 41, Section 33, line 39 (the printed bill, page 28, Section 33, line 31); the original bill, page 42, Section 34, line 21 (the printed bill, page 29, Section 34, line 17); the original bill, page 43, Section 35, line 36 (the printed bill, page 30, Section 35, line 29); the original bill, page 43, Section 36, line 14 (the printed bill, page 30, Section 36, line 11); the original bill, page 44, Section 37, line 11 (the printed bill, page 30, Section 37, line 9); the original bill, page 44, Section 38, line 24 (the printed bill, page 31, Section 38, line 19); the original bill, page 47, Section 39, line 73, (the printed bill, page 32, Section 39, line 58); and the original bill, page 47, Section 40, line 5 (the printed bill, page 33, Section 40, line 4) by inserting the figures "14" after the abbreviation and punctuation "No." wherever the same appears in each of said lines respectively.

9. Amend the original bill, page 47, Section 40, line 4 (the printed bill, page 33, Section 40, line 4) by inserting after the word "Act" therein the following: "**, viz: Chapter 167, Session Laws of Nebraska, 1937,**"

(Signed) Ashmore, Chairman.

MESSAGE FROM THE GOVERNOR

Report of Board of Pardons and Paroles

February 6, 1939.

To the Members of the Legislature of Nebraska,

Gentlemen:

In compliance with law, I am herewith transmitting the biennial report of the Board of Pardons and Paroles covering the two-year period from November 30, 1936 to December 1, 1938.

Respectfully submitted,

(Signed) R. L. Cochran, Governor.

The biennial report of the Board of Pardons and Paroles, submitted with the Governor's letter, is filed with this day's records of the Legislature and marked Exhibit No. 4.

MOTION—To Recall L. B. No. 59

Mr. President: I move that L. B. No. 59 be recalled to General File for further consideration. (Signed) Dunn.

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL NO. 9. Amendment read.

MOTION—To Recommit

Mr. President: I move that when the Enrollment and Review Committee submit an amendment changing the bill, that the bill be recommitted to the standing committee for review.

(Signed) Brady.

Referred to Committee on Rules.

MOTION—To Rerefer

Mr. President: I move that L. B.. No. 9 be rereferred to the Judiciary Committee for further consideration. Thomas.

The motion prevailed.

So ordered by the President.

GENERAL FILE

Mr. Gantz presiding.

LEGISLATIVE BILL NO. 5. Considered.

Mr. Schultz moved to refer to E and R for review.

Mr. Miller offered a substitute motion to indefinitely postpone.

The substitute motion was lost with 14 ayes, 23 nays, 6 not voting.

Original motion prevailed.

Referred to E and R for review.

LEGISLATIVE BILL NO. 72. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 11. Passed over.

Adjournment

At 11:48 a. m. on motion by Mr. Gutoski the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

TWENTY-SIXTH DAY

Legislative Chamber,
Lincoln, Nebraska, February 7, 1939.

The Legislature met at 9:12 a. m., President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Brodecky.

The Journal for the Twenty-fifth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Johnston, Mr. Murphy, Mr. Hall, Mr. Callan, each, one, favoring L. B. No. 61; Mr. Carlson, one, opposing L. B. No. 134; Mr. Hall, one, opposing a reduction in funds for the support of educational activities in the state; Mr. Van Diest, two, favoring H. R. 2 in the national congress; Mr. Hastings, one, favoring the bill for exemption of gasoline used for farm purposes; Mr. Diers and Mr. Mekota, one, opposing L. B. No. 189; Mr. Mekota, one, requesting a change in the law fixing the fiscal year in counties, and a change in the levy for funds to be used in operating farm bureaus in counties where they are maintained.

Communications

A letter was read from Mr. Carl S. Horn of Hay Springs, Nebraska.

Invitation

An invitation from the Kiwanis Club of Lincoln was extended to the members of the Legislature to attend a stag dinner at the Chamber of Commerce on Tuesday evening, February Fourteenth.

NOTICE OF COMMITTEE HEARINGS

Education

L. B. No. 101, Monday, February 13, 1939, 2:00 p. m.

L. B. No. 102, Monday, February 13, 1939, 2:00 p. m.

L. B. No. 107, Monday, February 13, 1939, 2:00 p. m.

Labor and Public Welfare

L. B. No. 447, Monday, February 13, 1939, 2:00 p. m.

L. B. No. 271, Monday, February 13, 1939, 2:00 p. m.

L. B. No. 262, Monday, February 13, 1939, 2:00 p. m.

STANDING COMMITTEE REPORT

Rules

Mr. President: Your Committee on Rules has had under consideration Mr. Diers' proposal, found in the Legislative Journal for the Twenty-first Day, and is of the unanimous opinion that Sections 6 and 7 of Rule VII clearly state the method which the Legislature wishes the Standing Committees to adopt in reporting on bills and in combining provisions and making changes in related bills.

It is therefore suggested that the fullest use be made of the Legislative Reference Bureau by the various Standing Committes to the end that their amendments be properly phrased and unnecessary delay be avoided when a bill is advanced to the Committee on Enrollment and Review. (Signed) Peterson, Chairman.

The report was adopted.

MOTION—To Rerefer L. B. No. 483

Mr. President: I move that L. B. No. 483 be recalled from the Committee on Revenue and rereferred to the Committee on Banking, Commrce and Insurance. Garber.

The motion prevailed.

GENERAL FILE

Mr. Howard presiding.

LEGISLATIVE BILL NO. 59. Placed at head of General File.

Referred to E and R for review.

LEGISLATIVE BILL NO. 11. Passed over.

LEGISLATIVE BILL NO. 77. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Twenty-fifth Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 65. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Twenty-fifth Day were adopted.

Laid over.

LEGISLATIVE BILL NO. 52. Read and considered.

Standing Committee Amendments adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 14. Considered.

Standing Committee amendments as found in the Legislative Journal for the Twenty-fifth Day were adopted.

Mr. Klaver moved to refer to E and R for review.

Mr. Mischke offered a substitute motion to indefinitely postpone.

The substitute motion lost with 5 ayes, 34 nays, 4 not voting.

Mr. Gutoski offered a substitute motion to rerefer to the Standing Committee for further consideration.

The substitute motion was lost.

Mr. Klaver's original motion prevailed.

Referred to E and R for review.

Communications

Mr. Brady read the following letter from Governor Cochran and requested that the same be printed at large in the Journal.

Reappropriation of Unexpended Balances.

Lincoln, February 1, 1939.

Honorable Frank Brady, Senator,
Chairman Appropriations Committee,
Unicameral Legislature,
Building.

Dear Senator Brady:

With reference to the re-appropriation to the Building Fund, requested by the Board of Control, of certain funds which are not needed for the purpose originally appropriated, I wish to advise that I approve the re-appropriation of these funds, in order that the Board may construct a hospital building at the Lincoln State Hospital, using the same design as that now being constructed at the Hastings State Hospital. I also understand that if these re-appropriations are made, there is $67,497.56 in PWA funds available to match these state funds.

Mr. Eubank advises that in order to proceed with this building at the Lincoln State Hospital, it will be necessary to make all of these emergency appropriations, with the exception of the $25,000 from the Beatrice Clothing Fund.

Following is a list of the funds, together with the amounts to be re-appropriated.

A-518 Investigation of Water Supply Institution for Feeble Minded, Beatrice	$ 2,000.00
D-543 Electric Wiring at Hastings State Hospital	1,392.80
J-593 Repairing Wall at the State Penitentiary	4,823.03

J-594 Mechanical Metal Detector at the State Penitentiary	2,000.00
N-633 Additional Water Supply at Norfolk State Hospital	8,418.50
N-634 Fire Pump for the Norfolk State Hospital	1,000.00
R-653 Sewage Disposal Plant at the Reformatory for Women, York	20,251.04
T-676 Revamping the Electric Wiring at the Reformatory for Men	936.18
T-679 Root Cellar at the Reformatory for Men	800.00
E-597 Prison Industries Equipment and Housing Fund	40,875.47
A-511 Clothing Fund at Institution for Feeble Minded	25,000.00
Bd-501 and 501-G Board of Control Revolving Fund	50,000.00

I would appreciate the cooperation of your Committee in handling this appropriation.

Very sincerely yours,
(Signed) R. L. Cochran,
Governor.

MOTION—To Suspend Rules for Introduction of Bill

Mr. President: I move that the rules be suspended and that the Committee on Appropriations be given permission to introduce a bill concerning the matter of reappropriation. Brady.

The motion prevailed with 35 ayes, no nays, 8 not voting.

MOTION—To Recall and Rerefer

Mr. President: I move that L. B. No. 49 be recalled from the Committee on Enrollment and Review and rereferred to the Standing Committee for further hearing. (Signed) Schultz.

The motion prevailed.

MESSAGE FROM THE GOVERNOR

Assistance Payments

February 7, 1939.

To the Members of the Fifty-third Session
of the Nebraska Legislature.

Gentlemen:

In my message to you, delivered on January 5th, with reference to old age assistance and related activities under the social security law, attention was called to the necessity for amending the present law to provide for allocation of funds to counties on a need basis rather than on a population basis.

A little more than a year ago the Director of Assistance felt that under our present law sufficient balances had accumulated in excess of their actual needs in some counties to provide amounts which would justify larger payments during the winter months. In fact, on October 1, 1937, there was an accumulated balance of $199,522.14. On the strength of this accumulation, the Auditor and the Governor approved a recommendation of the Director of Assistance to pay larger amounts during the winter months, December, January, February and March. The accumulated balance of $350,848.87 in counties in excess of needs in April, 1938, justified this procedure.

On November 1, 1938, we had an accumulated balance of $383,436.50. In view of this accumulated balance, the same policy was adopted for the winter months of '38-'39 as for '37-'38. A more recent check, however, shows that there has been a growing tendency for the counties which had these balances to increase their individual payments, which situation combined with a general increase in the number of recipients accentuated by the reduction in WPA makes it now apparent that the present rate of payments as an average throughout the state cannot be maintained between now and July 1st under the present appropriation.

An emergency law providing for allocation on the basis of need and the reallocation of the remaining balances for statewide distribution will prevent further dissipation of balances. While this should be immediately accomplished by legislative act, the remaining funds plus these balances now available will not be sufficient to permit average payments during the rest of the biennium at as high a rate as the averages maintained thus far during the biennium. The State Assistance Director estimates that it will require an additional appropriation of $300,000.00 in order to maintain the average rate of payments during the rest of the biennium as has been maintained during the biennium thus far. This estimate takes into consideration the following factors: the prompt enactment of legislation to make available on a statewide basis the present balances; and also to provide for allocation in the future of funds to counties on a need basis. Another factor which of course cannot be closely estimated is the further influence of reduction in WPA and other federal funds. It should be pointed out further that under the present statutes the State Assistance Director does not have the authority to control the expenditure of the accumulated balances referred to . I need not call your attention again to the difficulties in estimating for any considerable period in advance. This has been well demonstrated by the effects of two successive drouths experienced since the session of two years ago.

These facts are given you for your information and consideration. For the balance of the biennium, two courses of action remain: first, to maintain the average rates of payment at a lower level than has thus far been maintained during the biennium; the other, to make an additional appropriation. I shall be glad to discuss this problem with you and cooperate fully in its solution.

Respectfully submitted,

(Signed) R. L. Cochran,
Governor.

MOTION—To Have Message Mimeographed.

Mr. President: I move that the message of the Governor be mimeographed and placed on the desks of the members this afternoon. (Signed) Brady.

The motion prevailed.

MOTION—To Call Before Legislature

Mr. President: I move that Mr. Eubank and Mr. Vandemoer be called before the Legislature tomorrow morning at 10:00 a. m. so that they can be questioned regarding the Governor's message.

(Signed) Brady.

The motion prevailed.

Members Excused

Mr. Miller and Mr. Thornton were excused from the session at 10:30 until 3:00 p. m.

Adjournment

At 12:18 p. m. on motion by Mr. Carlson the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

TWENTY-SEVENTH DAY

Legislative Chamber,
Lincoln, Nebraska, February 8, 1939.

The Legislature met at 9:15 a. m., President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Twenty-sixth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Van Diest, one, opposing L. B. No. 2 and L. B. No. 17; Mr. Carsten, one, favoring the measure to make the Louisville bridge toll free; Mr. Rossiter, two, opposing L. B. 158; Mr. Sorrell, one, Mr. Carlson, one, opposing L. B. No. 189; Mr. Lambert, one, opposing L. B. No. 134; Mr. Sorrell, one, favoring L. B. 61; Mr. Herrick, one, favoring L. B. No. 74; all members, two, requesting repeal of the Safety Patrol law.

Communications

A letter was read from the Kiwanis Club of Lincoln.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. No. 341, Tuesday, February 14, 1939, 2:00 p. m.

L. B. No. 205, Tuesday, February 14, 1939, 2:00 p. m.

L. B. No. 208, Tuesday, February 14, 1939, 2:00 p. m.

L. B. No. 211, Tuesday, February 14, 1939, 2:00 p. m.

Appropriations

L. B. No. 312, Monday, February 13, 1939, 2:00 p. m.

L. B. No. 471, Monday, February 13, 1939, 2:00 p. m.

L. B. No. 460, Thursday, February 16, 1939, 2:00 p. m.

L. B. No. 461, Thursday, February 16, 1939, 2:00 p. m.

L. B. No. 462, Thursday, February 16, 1939, 2:00 p. m.

L. B. No. 178, Thursday, February 16, 1939, 2:00 p. m.

Revenue

L. B. No. 90, Tuesday, February 14, 1939, 2:00 p. m.

L. B. No. 214, Thursday, February 16, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL NO. 138. Placed on General File.

LEGISLATIVE BILL NO. 33. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 33:

1. Amend the original bill, pages 6 and 7, (the printed bill, pages 4 and 5) by striking all of Section 3 thereon.

2. Amend the printed bill, page 6, Section 4, line 50 by striking the word "ream" therein and by inserting in lieu thereof the word "cream".

3. Amend the original bill, page 10, Section 4, lines 65 to 69 inclusive (the printed bill, page 6, Section 4, lines 51 to 55 inclusive) by reinserting stricken subsection (10) therein.

4. Amend the original bill, page 10, Section 4, line 86 (the printed bill, page 7, Section 4, line 68) by striking therefrom the word "branded" and by inserting in lieu thereof the word "brand"; and renumber both in the original and printed bills each of the foregoing subsections in said Section 4 to conform with the foregoing amendments.

5. Amend the original bill, pages 10 and 11 (the printed bill, page 7) by striking all of Section 5 thereon.

6. Amend the original bill, page 11, Section 6, line 2 (the printed bill, page 7, Section 6, lines 1 and 2) by striking the section symbol and punctuation "81-1010," and by inserting in lieu thereof the conjunction "and"; and also by striking the conjunction and section symbol "and 81-1039" therein.

7. Amend the original bill, pages 11 and 12 (the printed bill, pages 7 and 8) by striking all of Sections 7 and 8 thereon and by inserting in lieu thereof the following:

"Sec. 5. From and after the effective date of this Act, no dairy manufacturing plant or processor shall write or make any contract with any cream buyer which shall operate as a monopoly or in restraint of trade.";

and renumber the preceding and succeeding sections in both the original and printed bills to comply with the foregoing amendments.

8. Amend the original bill, title, page 1 (the printed bill, title, page 1) by striking all of said title after the section symbol "81-1006" in line 2 and by inserting in lieu thereof the following:

"and 81-1037, Comp. St. Supp., 1937, relating to the dairy industry; to define the terms **cream station** and **station operator**; to provide conditions upon which licenses for testing or grading cream may be withheld from station operators or cream buyers; to enumerate unlawful practices in grading, purchasing, selling or using cream; to repeal said original sections; to provide a validity clause; and to declare an emergency.".

(Signed) Neubauer, Chairman.

Appropriations

LEGISLATIVE BILL NO. 164. Placed on General File.

(Signed) Brady, Chairman.

Education

LEGISLATIVE BILL NO. 66. General File.

LEGISLATIVE BILL NO. 68. Indefinitely postponed.
(Signed) Schultz, Chairman.

Banking, Commerce and Insurance

LEGISLATIVE BILL NO. 78. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 78:

1. Amend the original bill, page 2, Section 1, line 15 (the printed bill, page 1, Section 1, line 12) by striking therefrom the words "is maintaining" and by inserting in lieu thereof the word "maintains."
(Signed) Hall, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 27. Replaced on Select File with amendments.

E and R amendments to L .B. No. 27:

I. Amend the original bill, page 1, title, line 8 (the printed bill, page 1, title, line 6) by striking the conjunction "and" therefrom.

II. Amend the original bill, page 1, Section 2, line 1 (the printed bill, page 1, Section 2, line 1) by inserting the punctuation "," after the section symbol "76-201" therein; and in said line 1, Section 2 of the printed bill strike the first word "Section" therein and insert in lieu thereof the abbreviation and punctuation "Sec.".

LEGISLATIVE BILL NO. 39. Replaced on Select File with amendments.

E and R amendments to L. B. No. 39:

I. Amend the title, line 8, original bill (Line 5, printed bill), by striking the word "solicitor" after the word "his" and insert the following:

"attorney at law"

II. Amend the original bill, page 2, Section 1, line 11, (printed bill, Section 1, line 8), by striking the word "solicitor" following the word "his", and insert the following:

"attorney at law"

LEGISLATIVE BILL NO. 42. Placed on Select File.

LEGISLATIVE BILL NO. 31. Placed on Select File.

LEGISLATIVE BILL NO. 43. Placed on Select File.

LEGISLATIVE BILL NO. 32. Placed on Select File with amendments.

E and R amendments to L. B. No. 32:

I. Amend the Standing Committee Amendments, page 1, paragraph 1, line 4 by striking the word "one" therein and by inserting in lieu thereof the word **"one"**; and in paragraph 2, line 3 of said amendment, strike "from each Congressional District." and insert in lieu thereof **"from each Congressional District"**.

II. Amend the Standing Committee Amendments, page 1, paragraph 3, line 4 by striking therefrom the word "one" and inserting in lieu thereof the word **"one"**; and in lines 5 and 6 of said paragraph 3 strike "from each Congressional District." and insert in lieu thereof **"from each Congressional District"**.

III. Amend the original bill, page 1, caption "Introduced by" lines 1 and 2 by striking the word "County" or the word and punctuation "County." wherever the same appear therein.

IV. Amend the original bill, page 1, Section 1, line 13 (page 1, Section 1, line 11 of the printed bill) by striking the article "a" before the word "capacity" therein and by inserting in lieu thereof the words **"of such"**.

V. Amend the original bill, page 2, Section 1, line 16 (page 1, Section 1, line 13 of the printed bill) by inserting after the word "auditor" therein the words **"of public accounts"**.

VI. Amend the original bill, page 2, Section 1, line 19 (page 1, Section 1, line 15 of the printed bill) by striking therefrom the preposition "to" and by inserting in lieu thereof the word **"shall"**.

VII. Amend the original bill, page 2, Section 2, line 15 (page 2, Section 2, line 13 of the printed bill) by striking therefrom the word "out-put" and by inserting in lieu thereof the word **"output".**

VIII. Amend the original bill, page 2, Section 2, line 18 (page 2, Section 2, line 15 of the printed bill) by inserting after the word "auditor" therein the following: **"of public accounts".**

IX. Amend the original bill, page 2, Section 2, line 19 (page 2, Section 2, line 15 of the printed bill) by inserting after the word "treasurer" therein the following: **"of the State of Nebraska".**

X. Amend the original bill, page 3, Section 4, line 1 (page 2, Section 4, line 1 of the printed bill) by striking therefrom the word "act" and by inserting in lieu thereof the word "Act".

LEGISLATIVE BILL NO. 22. Replaced on Select File with amendments.

E and R amendments to L. B. No. 22:

I. Amend the Standing Committee amendment by inserting after the word "following", in line 1, the words and figures:

"Page 1, Sec. 1,"

II. Amend the Standing Committee amendment in line 2 by inserting after the figure "2," and before the word "line", the following:

"Sec. 1,"

and by striking from said line the figure"2" following the word "line" and inserting the figure "11".

III. Amend the Standing Committee amendment by underscoring the words in line 4.

IV. Amend the original bill, page 2, Sec. 1, line 41, (not in printed bill) by striking the word "has" following the word "which".

(Signed) Craven, Chairman.

MOTION—Not to Concur

Mr. President: I move that the Education Committee report indefinitely postponing L. B. No. 68 be not concurred in and that it be placed on General File. (Signed) Gantz.

The motion was lost.

SELECT COMMITTEE REPORT

Group Picture

Mr. Mueller reported that arrangements had been made to take the group picture of the members Thursday, February 9th, at 11:30 a. m.

MOTION—Program Lincoln's Birthday.

Mr. President: I move that this Legislature hold a thirty minutes service in commemoration of Lincoln's birthday at 11:15 a. m. Monday, February 13, 1939, and that our Chaplain, Reverend Chambers, be instructed to arrange for program. (Signed) Diers.

The motion prevailed.

At 9:50 a. m. the Legislature was at ease for ten minutes.

At 10:00 a. m. the President called the Legislature to order.

Mr. Eubank of the Board of Control and Mr. Vandemoer, Director of Assistance, appeared before the Legislature, in answer to Mr. Brady's motion of the previous day, and the matter of assistance payments was discussed at length.

MOTION—To Recall and Rerefer

Mr. President: I move that L. B. No. 178 be recalled from the Committee on Government and rereferred to the Committee on Appropriations. Diers.

The motion prevailed.

MOTION—To Rerefer to Standing Committee

Mr. President: I move that L. B. No. 65 be sent back to the Committee on Banking, Commerce and Insurance so that it may be reconsidered with L. B. No. 406 which is now in that committee. (Signed) Ernest A. Adams.

The motion prevailed.

MOTION—To Rerefer to Standing Committee

Mr. President: I move that L. B. No. 121, L. B. No. 137, L. B. No. 149, L. B. No. 457 and L. B. No. 472 be rereferred to the proper standing committee. (Signed) Ernest A. Adams.

The motion prevailed.

Adjournment

At 12:08 p. m. on motion by Mr. Herrick the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

TWENTY-EIGHTH DAY

Legislative Chamber,
Lincoln, Nebraska, February 9, 1939.

The Legislature met at 9:11 a. m., President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Twenty-seventh Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Ashmore, two, Mr. Sorrell, one, favoring L. B. No. 61; Mr. Carlson, one, opposing L. B. No. 2 and L. B. No. 17; Mr. Mueller, one, favoring L. B. No. 122; Mr. Diers, two, Mr. Hall, one, Mr. Garber, one, opposing L. B. No. 189; Mr. Garber, one, Mr. Neubauer, one, Mr. Lambert, two, Mr. Schultz, one, all opposing L. B. No. 158; Mr. Brodecky, one, favoring L. B. No. 1; Mr. Carlson, one, opposing a reduction in appropriations for State Normal Schools; Mr. Sorrell, one, favoring the resolution on H. R. 2 in the national congress.

Invitation

A letter was read extending an invitation to the members of the Legislature to visit the WOW broadcasting station during their trip to Omaha on February Twelfth.

The invitation was accepted.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. No. 134, Wednesday, February 15, 1939, 2:00 p. m.

L. B. No. 174, Wednesday, February 15, 1939, 2:00 p. m.

Judiciary

L. B. No. 171, Wednesday, February 15, 2:00 p. m.

L. B. No. 186, Wednesday, February 15, 2:00 p. m.

L. B. No. 203, Wednesday, February 15, 2:00 p. m.

L. B. No. 266, Wednesday, February 15, 2:00 p. m.

L. B. No. 293, Wednesday, February 15, 2:00 p. m.

Public Health and Miscellaneous subjects

L. B. No. 62, Wednesday, February 22, 1939, 2:00 p. m.

L. B. No. 92, Wednesday, February 22, 1939, 2:00 p. m.

L. B. No. 228, Wednesday, February 22, 1939, 2:00 p. m.

L. B. No. 466, Friday, February 24, 1939, 2:00 p. m.

L. B. No. 476, Friday, February 24, 1939, 2:00 p. m.

L. B. No. 478, Friday, February 24, 1939, 2:00 p. m.

L. B. No. 484, Friday, February 24, 1939, 2:00 p. m.

L. B. No. 56, Wednesday, March 1, 1939, 2:00 p. m.

L. B. No. 128, Wednesday, March 1, 1939, 2:00 p. m.

L. B. No. 367, Wednesday, March 1, 1939, 2:00 p. m.

L. B. No. 368, Wednesday, March 1, 1939, 2:00 p. m.

L. B. No. 371, Wednesday, March 1, 1939, 2:00 p. m.

L. B. No. 417, Wednesday, March 1, 1939, 2:00 p. m.

L. B. No. 418, Wednesday, March 1, 1939, 2:00 p. m.

L. B. No. 469, Wednesday, March 1, 1939, 2:00 p. m.

L. B. No. 433, Friday, February 17, 1939, 2:00 p. m.

L. B. No. 450. Hearing previously set and noticed for February 17, 1939, at 2:00 p. m., has been postponed to a date to be announced later.

Public Works

L. B. No. 142, Wednesday, February 15, 1939, 2:00 p. m.

L. B. No. 148, Wednesday, February 15, 1939, 2:00 p. m.

L. B. No. 306, Wednesday, February 15, 1939, 2:00 p. m.

L. B. No. 149, Wednesday, February 15, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL NO. 9. Placed on Select File.
(Signed) Thomas, Chairman.

Government

LEGISLATIVE BILL NO. 64. Placed on General File.

LEGISLATIVE BILL NO. 135. Placed on General File.

LEGISLATIVE BILL NO. 160. Indefinitely postponed.

LEGISLATIVE BILL NO. 165. Indefinitely postponed.

LEGISLATIVE BILL NO. 166. Indefinitely postponed.

LEGISLATIVE BILL NO. 167. Indefinitely postponed.
(Signed) Von Seggern, Chairman.

MOTION—Not to Concur in Report

Mr. President: I move that the Legislature do not concur with the Standing Committee report on L. B. 165, L. B. 166 and L. B. 167. (Signed) Reavis.

Mr. Thomas moved the previous question.

Mr. Mekota called for a division of the motion.

The original motion on L. B. 165 prevailed with 20 ayes, 14 nays and 9 not voting.

The original motion on L. B. 166 prevailed with 21 ayes, 9 nays 11 not voting.

The original motion on L. B. 167 prevailed with 19 ayes, 11 nays, 13 not voting.

L. B. 165, L. B. 166 and L. B. 167 placed on General File.

MOTION—To Reconsider L. B. 68

Mr. President: I move that the Legislature reconsider its action of February 8 in its refusal to not concur in committee report on L. B. 68. (Signed) Hastings.

The motion prevailed.

MOTION—To Place on General File

Mr. President: I move that L. B. No. 68 be placed on General File. (Signed) Gantz.

The motion prevailed.

COMMITTEE ON COMMITTEES

Game, Forestation and Parks Commission

Mr. President: Your committee on Committees wish to report favorably on the appointment of Mr. Carl Horn of Hay Springs as a member of the Game, Forestation and Parks Commission.

(Signed) Murphy, Chairman.

The report was adopted.

MOTION—To Confirm Appointment

Mr. President: I move the confirmation of the Governor's appointment of Mr. Carl Horn as a member of the Game, Forestation and Parks Commission. (Signed) Gross.

The motion prevailed with 41 ayes, no nays, 2 not voting.

Member, Board of Control

Mr. President: Your Committee on Committees wish to report favorably on the appointment of Mr. William A. Bruce of Verdigre as a member of the state Board of Control.

(Signed) Murphy, Chairman.

The report was adopted.

MOTION—To Confirm Appointment

Mr. President: I move that the Legislature confirm the Governor's appointment of Mr. William A. Bruce to the Board of Control. (Signed) Mischke.

The motion prevailed with 36 ayes, no nays, 7 not voting.

Proposal to Amend Rules

Offered by Mr. Brady.

That Section 6 of Rule VII be stricken and the following be substituted in lieu thereof:

"Each standing committee shall, when reporting a bill, submit therewith a statement, containing the following: first, the intent of the bill, second, the research, and third, the reasons for reporting the bill for general file. If there is any minority report this shall be furnished to the members."

The proposal was referred to the Committee on Rules.

LEGISLATIVE RESOLUTION NO. 9

Respecting the Memory of

William T. "Billy" Fenton

Warden, Nebraska State Penitentiary (1913 to 1934)

He Was His Brother's Keeper

"How brief this drama of our life appears!
The good die not! Their heritage they leave—
The record of a life in virtue spent;
For our own loss, at parting we may grieve—
Lives such as theirs build their own monuments."

Truly Warden Fenton who died February 7, 1939, has built his own enduring monument in the prison system which Nebraska has today—all growing out of faithful and unostentatious public service as a trusted and beloved executive.

Farmer, implement dealer at Dawson, Nebraska, and "boy sheriff" of Richardson County for eight years, at forty-one years of age his appointment as warden brought him in 1913 as chief officer to Nebraska's prison, then rocked with rebellion against enforcement of discipline and with a convict population depraved by the use of narcotics, smuggled inside the prison walls. Through his genius for direct action against prison evils, through his uncanny judgment in the selection of proper subordinates and assistants, in a short time, he drove every drug peddler out of the prison, treated and cured prisoner addicts and began to rebuild and rehabilitate prisoners into citizens ready for return to useful and law abiding pursuits.

Warden Fenton was far ahead of his time as a prison administrator. He segregated first offenders long before the law in Nebraska recognized penal institutions for the youthful inmate who found himself sentenced to prison for the first time. He installed a merit system and made it work. While he was humane, fair, lenient and kind in his policies of prison management, he had no patience with prison reform of the sentimental type. When circumstances called for it, he was a strict disciplinarian. He was by nature a practical psychologist who had the faculty of boring in upon the thoughts and purposes of his wards and was uncanny in ripping off any masks of hypocrisy and sham they chose to wear. Devout in religion, he unconsciously influenced his charges to seek life on a higher plane; he directed, by example more than by precept. He naturally loved his fellowman, encouraged and built up the morale of his "boys" while on the inside and kept in contact with all of them with the right kind of assistance after their release. He was an intense student of prison technique, was the dean of penitentiary wardens in the United States, both in point of service and record of accomplishment. He was nationally recognized in his chosen field. He won and kept the confidence and respect throughout his public career of his immediate superiors, governors and legislatures; and his tenure was always secure, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That this Legislature pause for a moment in its deliberations to pay silent tribute to a public servant who assumed the duties as warden of a demoralized and disorganized penal institution and who converted it into one conspicuous for its efficiency and humanity to the credit of our state and nation.

2. That this resolution be spread at large upon the Journal of this Legislature; and that the Clerk of the Legislature be directed and instructed forthwith to forward a copy thereof, properly authenicated and suitably engrossed to the widow and family of the deceased as a mark of the reverence of the State of Nebraska to Warden William T. Fenton's memory.

(Signed) Lester L. Dunn James E. Reed
Joseph C. Reavis George I. Craven

The rules were suspended and the resolution adopted.

SELECT FILE

LEGISLATIVE BILL NO. 27. Report adopted.

E and R amendments as found in the Legislative Journal for the Twenty-seventh Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 39. Report adopted.

E and R amendments as found in the Legislative Journal for the Twenty-seventh Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 42. Report adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 31. Report adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 43. Report adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 32.

Mr. President: I move that L. B. 32 be sent back to General File for specific amendment. (Signed) Miller.

The motion prevailed.

Mr. Neubauer presiding.

LEGISLATIVE BILL NO. 22. Report adopted.

E and R amendments as found in the Legislative Journal for the Twenty-seventh Day were adopted.

Referred to E and R for engrossment.

At 11:05 a. m. the Legislature was at ease for ten minutes.

At 11:15 a. m. the President called the Legislature to order.

SELECT COMMITTEE REPORT

Commission on Intergovernmental Cooperation

The members of the committee to serve on the Commission on Intergovernmental Cooperation reported that they had selected Mr. Joseph C. Reavis chairman of that committee.

GENERAL FILE

Mr. Neubauer presiding.

LEGISLATIVE BILL NO. 11. Read and considered.

Mr. Callan offered the following amendment to Section 1:

To strike out in line 7 all the words that follow debts.

Strike out lines 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 and insert in lieu thereof:

"In such amounts as the Judge of Probate shall deem just and equitable upon consideration of the nature and value of the services rendered, and the Commissions of administrators shall be determined in the same manner."

Mr. Gantz moved to amend the Callan amendment by adding thereto:

"but the fees so fixed by said county judge shall not exceed the following amounts: For the first thousand dollars at the rate of five per cent; for all above that sum and not exceeding five thousand dollars at the rate of two and one-half per cent; and for all above five thousand dollars, at the rate of one per cent; and in all cases such further allowances may be made as the county judge shall deem just and reasonable for any extraordinary services not required of an executor or administrator in the common course of his duty."

Laid over.

LEGISLATIVE BILL NO. 33.

Rereferred to Committee on Agriculture.

Adjournment

At 11:56 a. m. on motion by Mr. Mueller the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

TWENTY-NINTH DAY

Legislative Chamber,
Lincoln, Nebraska, February 10, 1939.

The Legislature met at 9:10 a. m., President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Twenty-eighth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Callan, one, Mr. Garber, one, Mr. Von Seggern, one, Mr. Hastings, one, Mr. Howard, one, Mr. Schultz, two, all opposing L. B. No. 158; Mr. Callan, one, Mr. Schultz, one, Mr. Hastings, one, Mr. Garber, one, all favoring L. B. No. 61; Mr. Hastings, one, Mr. Garber, one, opposing L. B. No. 189; Mr. Lambert, one, favoring H. R. 2, one, opposing the Anti-picketing Law; all members, one, opposing any change in S. F. 310.

Communications

A letter was read from Neil C. Vandemoer, Director of Assistance, enclosing 45 copies of information on assistance payments, requested by Mr. Brady on February 8, when Mr. Eubank and Mr. Vandemoer appeared before the Legislature.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. No. 175, Thursday, February 16, 1939, 2:00 p. m.

L. B. No. 240, Thursday, February 16, 1939, 2:00 p. m.

L. B. No. 272, Thursday, February 16, 1939, 2:00 p. m.

L. B. No. 282, Thursday, February 16, 1939, 2:00 p. m.

L. B. No. 298, Thursday, February 16, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL NO. 81. Indefinitely postponed.

LEGISLATIVE BILL NO. 17. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 17:

1. Amend the original bill, pages 2 and 3, Section 1 (the printed bill, page 2, Section 1) by striking that part of said section commencing with the word "except" in line 33 of the original bill (line 25 of the printed bill) down to and including the word and punctuation "sale," in line 38, page 3 of the original bill (line 29 of the printed bill).

2. Amend the original bill, page 3, Section 1, line 46 (the printed bill, page 2, Section 1, line 35) by inserting the figures **"17"** after the abbreviation **"No."** therein.

3. Amend the original bill, page 3, Section 1, line 57 (the printed bill, page 2, Section 1, line 43) by striking therefrom "for the current calendar in the State" and by inserting in lieu thereof the following: **"in compliance with the laws of the state".**

4. Amend the original bill, page 3, Section 1, line 58 (the printed bill, page 2, Section 1, line 43) by striking therefrom the word "country" and by inserting in lieu thereof the word **"county".**

5. Amend the original bill, page 5, Section 2, line 19 (the printed bill, page 4, Section 2, line 15) by striking therefrom the word **"body"** and by inserting in lieu thereof "vehicle license".

6. Amend the original bill, page 5, Section 2, line 20 (the printed

bill, page 4, Section 2, line 16) by inserting after the word "vehicle" and before the punctuation "." the following:

": Provided, no registration or license plates shall be required for the vehicle to be pulled or towed"

7. Amend the original bill, page 6, Section 2, line 36 (the printed bill, page 4, Section 2, line 28) by striking therefrom the word **"body"** and by inserting in lieu thereof the word "license".

8. Amend the original bill, page 8, Section 3, line 1 (the printed bill, page 6, Section 3, line 1) by inserting the words "said original" after the word "That" therein.

(Signed) Ashmore, Chairman.

Judiciary

LEGISLATIVE BILL NO. 93. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 93:

1. Amend the original bill, page 1, title, line 6 (the printed bill, page 1, title, line 4) by striking the word "incorporations" therein and by inserting in lieu thereof the word "incorporation".

(Signed) Thomas, Chairman.

Government

LEGISLATIVE BILL NO. 26. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 26:

1. Amend the original bill, page 1, title, line 15 (the printed bill, page 1, title, line 9) by striking the words "hearing on" therein and by inserting in lieu thereof the word "drafting".

2. Amend the original bill, page 1, title, line 19 (the printed bill, page 1, title, line 11) by inserting after the word and punctuation "board;" therein the following:

"to prescribe the date for the adoption of said budget;"; and in line 30, page 2 of the title of the original bill (line 17 of the title in the printed bill) strike the word "saving" and insert in lieu thereof the word "validity".

3. Amend the original bill, page 4, Section 2, line 30 (the printed bill, page 3, Section 2, line 23; the original bill, page 5, Section 3, line 11 (the printed bill, page 3, Section 3, line 9); and the original bill, page 6, Section 3, line 27 (the printed bill, page 4, Section 3, line 21) by inserting after the abbreviation and punctuation "No." in each of said lines respectively the figures **"26"**.

4. Amend the original bill, page 8, Section 5, line 31 (the printed bill, page 5, Section 5, line 23) by inserting immediately after the word and punctuation **"hereinbefore."** the following:

"The total amount provided in said budget to be raised by taxation shall in no instance exceed the amount of taxes authorized by law to be levied during that year, including the amounts necessary to meet outstanding indebtedness, as evidenced by bonds, coupons or warrants regularly issued.".

5. Amend the printed bill, page 5, Section 5, line 33 by striking the punctuations "." and ";" therein and by inserting in lieu thereof the punctuation **";"**.

6. Amend the printed bill, page 5, Section 5, line 34 by striking the punctuation "," therein.

7. Amend the original bill, page 8, Section 5, line 50 (the printed bill, page 5, Section 5, line 37) by striking therefrom the words **"balance or balances"** and by inserting in lieu thereof the word **"excess"**.

8. Amend the original bill, page 8, Section 5, lines 53 and 54 (the printed bill, page 6, Section 5, line 40) by striking therefrom the word **"preparation"** and by inserting in lieu thereof the word **"adoption"**.

9. Amend the original bill, page 8, Section 5, line 57 (the printed bill, page 6, Section 5, line 42) by striking the words **"balance or balances"** and by inserting in lieu thereof the word **"excess"**.

10. Amend the original bill, page 9, Section 5 (the printed bill, page 6, Section 5) by striking that part of said section commencing with the word "deducted" in line 62 of said section of the original bill (lines 46 and 47 of the printed bill) down to and including the word and punctuation **"year."** in line 69 of the original bill (line 52 of the printed bill) and by inserting in lieu thereof the following:

"taken into consideration in determining said unexpended balance and said amount to be deducted: Provided, that in arriving at the unexpended balance on hand in any fund, as provided hereinbefore, there shall be taken into consideration and included, any unexpended balance of cash on hand on said date and the uncollected and unexpended tax levied for said fund during the fiscal year immediately prior to the year

of the November first involved; and said tax, when collected, shall be paid into such fund for which it was levied.".

11. Amend the original bill, page 10, Section 6, line 3 (the printed bill, page 7, Section 6, line 3) by striking therefrom "a."; and transpose all of subsection b., page 11, Section 6, lines 19 to 29 inclusive of the original bill (the printed bill, page 7, Section 6, lines 16 to 23 inclusive) so that said subsection b. shall appear immediately after the word and punctuation **"pensions."** on page 10, Section 5, line 107 of the original bill (the printed bill, page 7, Section 5, line 82.)

12. Amend the printed bill, page 7, Section 6, line 13 by striking the punctuation ";" therein; and also in line 16 of said Section 6 of the printed bill, insert the punctuation "." after the word "year" therein.

13. Amend the original bill, page 7, Section 5, line 3 (the printed bill, page 5, Section 5, line 3) by inserting after the section symbol and punctuation "26-2107." therein the following: **"a"**.

LEGISLATIVE BILL NO. 23. Placed on General File.

LEGISLATIVE BILL NO. 24. Placed on General File.

LEGISLATIVE BILL NO. 25. Placed on General File.

(Signed) Von Seggern, Chairman.

Banking, Commerce and Insurance

Legislative Resolution No. 7. Committee recommended that it be given consideration by the Legislature.

(Signed) Hall, Chairman.

MOTION—To Amend

Mr. President: I move that Legislative Resolution No. 7 be amended as follows: "strike out in paragraph 3, starting with the word 'Provided' in line 3, down to and including the word 'committee' and ':', in line 8." (Signed) Diers.

The motion prevailed.

MOTION—That Resolution Be Laid Over

Mr. President: I move that Legislative Resolution No. 7 be laid over for one week from today. (Signed) Craven.

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL NO. 9

E and R amendments as found in the Legislative Journal for the Twenty-fourth day were adopted.

Referred to E and R for engrossment.

GENERAL FILE

Mr. Thomas presiding.

LEGISLATIVE BILL NO. 11. Considered.

Mr. Gantz withdrew his amendment offered on the Twenty-eighth Day.

Mr. Callan withdrew his amendment offered on the Twenty-eighth Day.

General File amendment by Gantz to L. B. 11 adopted:

Section 1. To strike out in line 7 all the words that follow debts. Strike out lines 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 and insert in lieu thereof: "In such amounts as the Judge of Probate shall deem just and equitable upon consideration of the nature and value of the services rendered, and the commissions of administrators shall be determined in the same manner, but the fees so fixed by said county judge shall not exceed the following amounts: For the first thousand dollars at the rate of five per cent; for all above that sum and not exceeding five thousand dollars at the rate of two and one-half per cent; and for all above five thousand dollars, at the rate of one per cent; and in all cases further allowances may be made as the county judge shall deem just and reasonable for any extraordinary services not required of any executor or administrator in the common course of his duty."

Referred to E and R for review.

MESSAGE FROM THE GOVERNOR

Member, Board of Education of State Normal Schools

February 10th, 1939.

To the Members of the Fifty-third Session
of the Nebraska Legislature.

Gentlemen:

I herewith submit for your consideration the nomination of Dr. Walter Benthack of Wayne as a member of the Board of Education of State Normal Schools. Dr. Benthack is a practicing physician and surgeon who stands high in his profession. For several years he has served as a member of the Wayne Board of Education. Not only has Dr. Benthack shown a great interest in public affairs, but he also has discharged his duties as a citizen by taking an active part in public affairs and especially in those relating to education.

Respectfully submitted,

(Signed) R. L. Cochran,
Governor.

State Tax Commissioner

February 10th, 1939.

To the Members of the Fifty-third Session
of the Nebraska Legislature.

Gentlemen:

I herewith submit for your consideration the nomination of William H. Smith of Seward to succeed himself as State Tax Commissioner. Mr. Smith's long experience in this capacity recommends him for your favorable consideration.

Respectfully submitted,

(Signed) R. L. Cochran,
Governor.

Member, Board of Education of State Normal Schools

February 10th, 1939.

To the Members of the Fifty-third Session
of the Nebraska Legislature.

Gentlemen:

I herewith submit for your consideration the nomination of Mrs. Evelyn A. Ryan of Grand Island to succeed herself as a member of the Board of Education of State Normal Schools for the term ending January, 1945. Mrs. Ryan has given devoted service to the state as a member of this board.

Respectfully submitted,

(Signed) R. L. Cochran,
Governor.

The three nominations for appointments were referred to the Committee on Committees.

Dr. M. M. Sullivan of Spalding, a member of the Constitutional Convention of 1920, was introduced and addressed the Legislature briefly.

Adjournment

At 11:50 a. m. Mr. Reavis moved that the rules be suspended and that the Legislature adjourn until Monday at 10:00 a. m.

The motion prevailed with 34 ayes, no nays, 9 not voting.

Hugo F. Srb,
Clerk of the Legislature.

THIRTIETH DAY

Legislative Chamber,
Lincoln, Nebraska, February 13, 1939.

The Legislature met at 10:08 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Twenty-ninth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Diers, four, Mr. Rossiter, one, Mr. Thornton, one, Mr. Doyle, one, Mr. Schultz, as Chairman of Committee on Education, four, all favoring L. B. No. 61; Mr. Klaver, one, Mr. Schultz, as Chairman of Committee on Education, two, favoring L. B. No. 125; Mr. Carlson, two, Mr. Thornton, one, opposing L. B. No. 17; Mr. Diers, one, opposing L. B. No. 17; Mr. Carlson, one, opposing L. B. No. 2; Government Committee, two, opposing L. B. No. 134; Mr. Van Diest, one, opposing L. B. No. 240; Mr. Sorrell, one, pertaining to L. B. No. 2; Mr. Van Diest, one favoring H. R. 2 in the national congress.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. No. 58, Friday, February 17, 1939, 2:00 p. m.

L. B. No. 132, Friday, February 17, 1939, 2:00 p. m.

L. B. No. 230, Friday, February 17, 1939, 2:00 p. m.

L. B. No. 189, Wednesday, February 22, 1939, 2:00 p. m.

Public Works

L. B. No. 188, Friday, February 17, 1939, 2:00 p. m.

L. B. No. 192, Friday, February 17, 1939, 2:00 p. m.

L. B. No. 194, Friday, February 17, 1939, 2:00 p. m.

L. B. No. 197, Friday, February 17, 1939, 2:00 p. m.

L. B. No. 224, Friday, February 17, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL NO. 34. Placed on General File.
(Signed) Von Seggern, Chairman.

Public Works

LEGISLATIVE BILL NO. 111. Placed on General File.

LEGISLATIVE BILL NO. 121. Placed on General File.

LEGISLATIVE BILL NO. 123. Placed on General File.

LEGISLATIVE BILL NO. 76. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 76:

1. Amend the original bill, page 1, Section 1, line 8 (the printed bill, page 1, Section 1, line 6) by inserting after the word "Nebraska" therein the following:

": **Provided,** said governing authorities shall have the right hereby reserved to them and each of them to reject any and all bids".

2. Amend the original bill, page 2, Section 2, line 9 (the printed bill, page 1, Section 2, line 6) by inserting after the word "Nebraska" therein the following:

": **Provided,** said governing authorities shall have the right hereby reserved to them and each of them to reject any and all bids".

3. Amend the original bill, page 1, title, line 8 (the printed bill, page 1, title, line 5) by inserting after the word and punctuation "state;" therein the following:

"to reserve in the governing authorities of said state and its governmental subdivisions, and each of them, the right to reject any and all bids;".

(Signed) Howard, Chairman.

Agriculture

LEGISLATIVE BILL NO. 33. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 33:

1. Amend the original bill, page 8, Section 4 (the printed bill, page 5, Section 4) by restoring subsection (2) lines 9 to 12 of the original bill, (lines 7 to 10, the printed bill); and amend the original bill, pages 6 and 7 (the printed bill, pages 4 and 5) by striking all of Section 3 thereon.

2. Amend the printed bill, page 6, Section 4, line 50 by striking the word "ream" therein and by inserting in lieu thereof the word "cream".

3. Amend the original bill, page 10, Section 4, lines 65 to 69 inclusive (the printed bill, page 6, Section 4, lines 51 to 55 inclusive) by reinserting stricken subsection (10) therein.

4. Amend the original bill, page 10, Section 4, line 86 (the printed bill, page 7, Section 4, line 68) by striking therefrom the word **"branded"** and by inserting in lieu thereof the word "brand"; and renumber both in the original and printed bills each of the foregoing subsections in said Section 4 to conform with the foregoing amendments.

5. Amend the original bill, pages 10 and 11 (the printed bill, page 7) by striking all of Section 5 thereon.

6. Amend the original bill, page 11, Section 6, line 2 (the printed bill, page 7, Section 6, lines 1 and 2) by striking the section symbol and punctuation "81-1010," and by inserting in lieu thereof the conjunction "and"; and also by striking the conjunction and section symbol "and 81-1039" therein.

7. Amend the original bill, pages 11 and 12 (the printed bill, pages 7 and 8) by striking all of Sections 7 and 8 thereon and by inserting in lieu thereof the following:

"Sec. 5. From and after the effective date of this Act, no dairy manufacturing plant or processor shall write or make any contract with any cream buyer which shall operate as a monopoly or in restraint of trade.";

and renumber the preceding and succeeding sections in both the original and printed bills to comply with the foregoing amendments.

8. Amend the original bill, title, page 1 (the printed bill, title, page 1) by striking all of said title after the section symbol "81-1006" in line 2 and by inserting in lieu thereof the following:

"and 81-1037, Comp. St. Supp., 1937, relating to the dairy industry; to define the terms **cream station** and **station operator**; to provide conditions upon which licenses for testing or grading cream may be withheld from station operators or cream buyers; to enumerate unlawful practices in grading, purchasing, selling or using cream; to repeal said original sections; to provide a validity clause; and to declare an emergency.".

(Signed) Neubauer, Chairman.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 326. By Miller of Kimball.

A bill for an Act to amend Sections 50-501, 50-502 and 50-508, Comp. St. Supp., 1937, relating to the legislature; to create a Legislative Council, to designate the number and qualifications of its members, to fix their terms of office, to provide for a chairman of the council, manner of filling vacancies and to provide for offices of the Council in the State Capitol Building; to prescribe the duties in general including the drafting of bills, resolutions, amendments, etc., for the members of the legislature and the executive departments of the state government; to provide for a director of research to act as secretary of the council; to repeal said original sections; to repeal Sections 50-401, 50-402, 50-403, 50-404, 50-405, 50-406 and 50-407, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

LEGISLATIVE BILL NO. 327. By Miller of Kimball.

A bill for an Act to amend Section 84-502, Compiled Statutes of Nebraska for 1929, relating to the duties of the Secretary of State, and to repeal said original section.

LEGISLATIVE BILL NO. 488. By Committee on Appropriations.

A bill for an Act relating to state institutions; specifically to reappropriate unexpended balances in designated funds under the jurisdiction of the Board of Control in the sum of $132,497.02, as specifically itemized therein, to the Board of Control, Building Fund; to provide that said sum, specifically re-appropriated, shall be used exclusively for the purpose of constructing and equipping a hospital building at the Lincoln State Hospital; to provide that said re-appropriation shall be contingent upon the said Board of Control receiving grant of $67,497.56, more or less, from the Works Progress Administration of the United States of America to aid in the constructing and equipping of said hospital building; to make said money reappropriated immediately available for the uses and purposes of this Act, subject to the terms and conditions thereof; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 488 be read the second time. Brady.

The motion prevailed with 41 ayes, no nays, 2 not voting.

BILLS ON SECOND READING

By unanimous consent L. B. No. 326 and L. B. No. 327 were read the second time.

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
326	Miller	Government
327	Miller	Government
488	Committee on Appropriations.	Appropriations

MOTION—To Recall and Rerefer

Mr. President: I move that L. B. No. 72 be recalled from the Committee on Enrollment and Review and sent back to General File for the purpose of amendment. (Signed) Johnson.

The motion prevailed.

GENERAL FILE

Mr. Brady presiding.

LEGISLATIVE BILL NO. 164. Read and considered.

Referred to E and R for review.

Mr. Diers presiding.

LEGISLATIVE BILL NO. 138. Read and considered.

Laid over.

Mr. Brady presiding.

LEGISLATIVE BILL NO. 66. Read and considered.
Referred to E and R for review.

LEGISLATIVE BILL NO. 78. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Twenty-seventh Day were adopted.

Laid over.

LINCOLN MEMORIAL PROGRAM

President Johnson presiding.

At 11:15 a. m. the following program, arranged by the Chaplain, was rendered, commemorating the birth of Abraham Lincoln and respecting the memory of Harry Bradley, who served the Nebraska Legislature as custodian from 1901 to 1938:

LEGISLATIVE RESOLUTION NO. 10.

Offered by Charles F. Tvrdik of Douglas.

WHEREAS, on February 12, 1809, there was born to Tom and Nancy Lincoln a baby boy who was afterwards named Abraham Lincoln and this is the anniversary of that sublime event, and

WHEREAS, it is fitting and proper that the day of the birth of Abraham Lincoln, one of the outstanding statesmen of all times, be recalled by this Legislature in the course of its deliberations, when courage, persistency, fearlessness and common sense in government should be our aspiration, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA in FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. Paraphrasing Lincoln in his second inauguration, pausing a moment in our deliberations, may we resolve, regardless of party or personal prejudice, that here, in this Legislature, we will do our best to bind up the state's wounds, that we will do all those things which may achieve and cherish a just and lasting peace among ourselves, and with all the citizens and the officers entrusted with the administration of the public affairs of the State of Nebraska; and that as Abraham Lincoln understood the hopes, the sorrows, the needs and the aspirations of the people of the United States that, for the State of Nebraska, this Legislature do likewise.

The rules were suspended and the resolution adopted.

A letter, written by Abraham Lincoln to the grandfather of Joseph C. Reavis, a member of the Legislature, was read to the assembly.

Address:

Harry Hitchcock Bradley As I Knew Him..............Wm. H. Smith
Lincoln the Man ....Reverend C. C. Reynolds

MESSAGE FROM THE GOVERNOR

February 13, 1939.

To the Members of the Fifty-Third Session
of the Nebraska Legislature

Gentlemen:

In my message to the legislature on January 5th, I said: "My ideas are in harmony with the report of the legislative council which recommends that sufficient reductions be made in appropriations for the next biennium to absorb any delinquencies in the general fund during this biennium to the end that the state levy for the next two years may not exceed the levy for this two-year period."

In preparing my budget message, with the object in view of carrying out these recommendations, in which I concurred most heartily, I invited the chairman of the legislative council and the chairman of the appropriations committee to a conference to discuss this and to estimate what percentage of reduction in the appropriation for the present biennium would absorb, in the next biennium, the delinquencies due to non-payment of taxes, and at the same time hold the appropriation for the next biennium to a level where the state tax levy, as an average, for the next two years will not have to be raised over the average for the past two-year period.

In line with this, and guided by the best information available when the budget was prepared about a month ago, these recommendations were made. It is entirely possible that later in the session we may be able to estimate tax delinquencies more accurately. If it should develop that in the judgment of the legislature a larger delinquency will exist at the end of this biennium than was anticipated when we discussed this matter, then and in that event, the legislature should make an even greater reduction than is shown in my budget to the end that the recommendation of the legislative council, concurred in by the Governor, be carried out.

Of course in order to accomplish any such program, it will be necessary to have bills before the legislature. As provided by Section

81-313, Compiled Statutes of Nebraska for 1929, I presented bills to the clerk of the legislature at the time I delivered my budget message on January 23rd. These bills were drawn to carry out the recommendations of your legislative council with respect to total appropriations from property tax, which recommendations were, as stated above, concurred in by me and discussed by me with the chairman of the legislative council and the chairman of the appropriations committee.

I should like to call your attention to my special message to you on January 25th in which I recognized that the Tax Commissioner's office had erroneously applied a six percent reduction to the estimated receipts of federal aid and other funds. As I stated in my budget message, however, "wherever practical in the interest of economy as well as in the interest of equality between departments and bureaus, we expect to apply the same policy, relative to reductions, to departments and bureaus maintained by cash funds as in the case of those agencies maintained with property tax funds." I recommend that your appropriations committee make such corrections, in the bills that I presented with my budget, as may be necessary to conform with the above.

The purpose of the legislative council and myself is to provide for absorption of any deficiency in the general fund, due to non-payment of taxes, in an orderly manner by a reduction in expenditures rather than an increase in the state tax levy.

Respectfully submitted,
(Signed) R. L. Cochran
Governor.

Adjournment

At 11:50 a. m. on motion by Mr. Miller the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

THIRTY-FIRST DAY

Legislative Chamber,
Lincoln, Nebraska, February 14, 1939.

The Legislature met at 9:08 a. m., President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except John Adams, Jr.

The Journal for the Thirtieth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Carlson, one, Mr. Brodecky, one, Mr. Rossiter, one, Mr. Johnston, one, Mr. Schultz as Chairman, one, all favoring L. B. No. 61; Mr. Carlson, one, Mr. Johnston, one, opposing L. B. No. 17; Mr. Schultz as Chairman, one, opposing L. B. No. 158; Mr. Sorrell, one, favoring L. B. No. 1; Mr. Brodecky, one, opposing L. B. No. 189; Mr. Diers, one, favoring H. R. 2 in the national congress.

Communications

A letter was read from Mr. O. J. Ferguson, Chairman of the Charter Day Committee, extending an invitation to the Lieutenant Governor and the members of the Legislature to attend the 70th anniversary of the founding of the University of Nebraska, at the University Coliseum, from 10:00 to 12:00 a. m. on February fifteenth.

A letter was read from Mr. A. C. Tilley, Chairman of the Nebraska State Planning Board, enclosing 43 copies of that Board's report to the Governor for a recommended Ten Year Building and Repair Program.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. No. 151, Monday, February 20, 1939, 2:00 p. m.

L. B. No. 369, Monday, February 20, 1939, 2:00 p. m.

L. B. No. 408, Monday, February 20, 1939, 2:00 p. m.

L. B. No. 221, Wednesday, February 22, 1939, 2:00 p. m.

L. B. No. 222, Wednesday, February 22, 1939, 2:00 p. m.

L. B. No. 363, Wednesday, February 22, 1939, 2:00 p. m.

L. B. No. 364, Wednesday, February 22, 1939, 2:00 p. m.

L. B. No. 366, Wednesday, February 22, 1939, 2:00 p. m.

L. B. No. 485, Wednesday, February 22, 1939, 2:00 p. m.

L. B. No. 372, Friday, February 24, 1939, 2:00 p. m.

L. B. No. 57, Monday, February 27, 1939, 2:00 p. m.

L. B. No. 252, Monday, February 27, 1939, 2:00 p. m.

L. B. No. 267, Monday, February 27, 1939, 2:00 p. m.

L. B. No. 384, Monday, February 27, 1939, 2:00 p. m.

Labor and Public Welfare

L. B. No. 161, Monday, February 20, 1939, 2:00 p. m.

L. B. No. 162, Monday, February 20, 1939, 2:00 p. m.

L. B. No. 163, Monday, February 20, 1939, 2:00 p. m.

L. B. No. 362, Monday, February 20, 1939, 2:00 p. m.

L. B. No. 389, Monday, February 20, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL NO. 314. Returned to Legislature with request that it be rereferred to Committee on Appropriations.

(Signed) Hall, Chairman.

Unanimous consent was granted and the bill so rereferred.

Labor and Public Welfare

LEGISLATIVE RESOLUTION NO. 3. (Concerning H. R. 2 in national congress)

Returned to the Legislature with amendments.

Standing Committee amendments to L. R. No. 3:

1. Amend Resolution, Title, line 4, after the word "consider,", strike the following words: "and promptly report out of the said committee."

2. Amend Section 1, line 3, after the word "phases", strike the following words: "and then immediately to report out of said committee".

3. Amend Section 1, line 5, after the figures "1939", strike the rest of the Section and insert a period after the figures "1939".

(Signed) Dunn, Chairman.

MOTION—To Lay Over

Mr. President: I move that Legislative Resolution No. 3 be laid over. Dunn.

Substitute Motion

Mr. President: I move the resolution be taken up this morning. Schultz.

The substitute motion prevailed.

MOTION—To Adopt the Committee Report

Mr. President: I move that we adopt the committee report on Legislative Resolution No. 3. Hastings.

The motion prevailed with 28 ayes, 6 nays, 9 not voting.

MOTION—To Adopt Resolution

Mr. President: I move that we adopt Legislative Resolution No. 3. Hastings.

Substitute Motion

Mr. President: As a substitute motion, I move that Legislative Resolution No. 3 be indefinitely postponed. Mekota.

The Chair ruled that the substitute motion prevailed.

Mr. Doyle appealed from the decision of the Chair.

Mr. Schultz moved to uphold the decision of the Chair.

Mr. Klaver requested a record vote.

Mr. Doyle asked for a call of the House.

The call was ordered.

The call was raised.

Mr. Gutoski asked for a call of the House.

Ruled out of order.

Mr. Von Seggern changed his vote from aye to nay and moved to raise the call.

The call was raised.

The vote was taken on Mr. Schultz motion to uphold the decision of the Chair.

Voting in the affirmative, 18:

Adams, E. A.
Ashmore
Brady
Brodecky
Carlson
Diers
Dunn
Gross
Gutoski
Hall
Howard
Mekota
Mischke
Murphy
Peterson
Reavis
Thomas
Von Seggern

Voting in the negative, 22:

Callan
Craven
Doyle
Gantz
Garber
Hastings
Herrick
Johnson
Johnston
Klaver
Lambert
Miller
Mueller
Neubauer
Norman
Reed
Rossiter
Sorrell
Thornton
Tvrdik
Van Diest
Westley

Not voting, 3:

Adams, J. Jr.
Carsten
Schultz

The motion was lost.

MOTION—To Amend

Mr. President: I move to amend the resolution by adding thereto the following:

"Be it further resolved that the supporters of this resolution sincerely believe that the enactment of the Act above referred to will solve the economic problems of the United States of America and urge its enactment forthwith." (Signed) Mekota.

After discussion Mr. Dunn moved the previous question.

The motion prevailed.

Vote was taken on Mr. Mekota's amendment and the Chair declared the amendment adopted.

Mr. Sorrell appealed from the decision of the Chair and requested a record vote.

Voting in the affirmative, 22:

Adams, E. A.
Ashmore
Brady
Brodecky
Carlson
Carsten
Gross
Gutoski
Hall
Howard
Johnston
Klaver
Mekota
Mischke
Murphy
Norman
Peterson
Reavis
Schultz
Thomas
Van Diest
Von Seggern

Voting in the negative, 14:

Callan
Craven
Doyle
Dunn
Gantz
Garber
Hastings
Herrick
Johnson
Neubauer
Reed
Sorrell
Thornton
Westley

Not voting, 7:

Adams, J. Jr.
Diers
Lambert
Miller
Mueller
Rossiter
Tvrdik

The motion prevailed and the decision of the Chair was sustained.

Mr. Tvrdik moved to reconsider the Mekota amendment.

The motion prevailed with 22 ayes, 15 nays, 6 not voting.

Mekota amendment reconsidered and lost with 15 ayes, 24 nays, 4 not voting.

Mr. Reavis moved to amend the resolution as follows:

"Provided: That this resolution passed by the Nebraska Legislature is not to be considered as an endorsement of H. R. 2."

After discussion Mr. Howard moved the previous question.

The motion prevailed with 31 ayes, 9 nays, 3 not voting.

Vote was taken and the amendment was adopted.

Mr. Hastings moved that the resolution, as amended by Mr. Reavis, be adopted.

The motion prevailed with 31 ayes, 7 nays, 5 not voting.

BILLS ON FIRST READING

Unanimous consent was granted to Mr. Brady to withdraw L. B. No. 488 and submit a corrected copy in its stead.

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 488. By Committee on Appropriations.

A bill for an Act relating to state institutions; specifically to re-appropriate unexpended balances in designated funds under the jurisdiction of the Board of Control in the sum of $132,497.02, as specifically itemized therein, to the Board of Control, New Building and Equipment Fund; to provide that said sum, specifically re-appropriated, shall be used exclusively together with such other funds as may be available for the purpose of constructing and equipping a hospital building at the Lincoln State Hospital; to provide that said re-appropriation shall be contingent upon the said Board of Control receiving grant of $67,497.56, more or less, from the Public Works Administration or other federal agency of the United States of America to aid in the constructing and equipping of said hospital buildings; to make said money re-appropriated immediately available for the uses and purposes of this Act, subject to the terms and conditions thereof; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 488 be read the second time. Murphy.

The motion prevailed with 40 ayes, no nays, 3 not voting.

Unanimous consent was granted to Mr. Schultz to withdraw L. B. No. 140 and submit a corrected copy in its stead.

LEGISLATIVE BILL NO. 140. Introduced by Committee on Education by Special Order of the Legislature.

A bill for an Act to amend Section 85-112, Compiled Statutes of Nebraska, 1929, relating to university entrance requirements; to provide for authority of the board of regents in such matters; and to repeal said original section.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 140 be read the second time. Schultz.

The motion prevailed with 34 ayes, no nays, 9 not voting.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L. B. No.	Introducer	Committee Reference
488	Committee on Appropriations	Appropriations
140	Committee on Education	Education

GENERAL FILE

Mr. Brodecky presiding.

LEGISLATIVE BILL NO. 138. Referred to E and R for review.

LEGISLATIVE BILL NO. 78. Laid over.

LEGISLATIVE BILL NO. 135. Read and considered.

Mr. Schultz moved that L. B. 135 be indefinitely postponed.

Mr. Howard offered a substitute motion that it be referred to E and R for review.

Mr. Howard's substitute motion lost with 14 ayes, 21 nays, 8 not voting.

Mr. Schultz' original motion prevailed with 23 ayes, 12 nays, 8 not voting.

Members Excused

Mr. Brady was excused at 11:05 for thirty minutes.

Mr. Reavis was excused from attendance on February 16 and 17.

Adjournment

At 12:00 m. on motion by Mr. Miller the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

THIRTY-SECOND DAY

Legislative Chamber,
Lincoln, Nebraska, February 15, 1939.

The Legislature met at 9:07 a. m., President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Thirty-first Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Gantz, one, Mr. Westley, one, Mr. Murphy, one, favoring L. B. No. 61; Mr. Johnston, one, favoring the Safety Patrol law; Mr. Brodecky, one, opposing L. B. 202; Mr. Carlson, one, favoring L. B. No. 152; Mr. Tvrdik, one, opposing the Anti-picketing Law.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. No. 344, Tuesday, February 21, 1939, 2:00 p. m.

L. B. No. 425, Tuesday, February 21, 1939, 2:00 p. m.

L. B. No. 205, Tuesday, February 21, 1939, 2:00 p. m.

Appropriations

L. B. No. 488, Monday, February 20, 1939, 2:00 p. m.

Education

L. B. No. 140, Monday, February 20, 1939, 2:00 p. m.

Banking, Commerce and Insurance

L. B. No. 146, Tuesday, February 21, 1939, 2:00 p. m.

L. B. No. 147, Tuesday, February 21, 1939, 2:00 p. m.

L. B. No. 304, Tuesday, February 21, 1939, 2:00 p. m.

L. B. No. 280, Tuesday, February 21, 1939, 2:00 p. m.

L. B. No. 133, Tuesday, February 21, 1939, 2:00 p. m.

L. B. No. 261, Tuesday, February 21, 1939, 2:00 p. m.

L. B. No. 79, Tuesday, February 21, 1939, 2:00 p. m.

L. B. No. 198, Thursday, February 23, 1939, 2:00 p. m.

L. B. No. 435, Thursday, February 23, 1939, 2:00 p. m.

L. B. No. 365, Thursday, February 23, 1939, 2:00 p. m.

L. B. No. 274, Thursday, February 23, 1939, 2:00 p. m.

L. B. No. 257, Thursday, February 23, 1939, 2:00 p. m.

L. B. No. 217, Thursday, February 23, 1939, 2:00 p. m.

L. B. No. 106, Thursday, February 23, 1939, 2:00 p. m.

L. B. No. 213, Tuesday, February 28, 1939, 2:00 p. m.

L. B. No. 226, Tuesday, February 28, 1939, 2:00 p. m.

L. B. No. 231, Tuesday, February 28, 1939, 2:00 p. m.

L. B. No. 295, Tuesday, February 28, 1939, 2:00 p. m.

L. B. No. 483, Tuesday, February 28, 1939, 2:00 p. m.

L. B. No. 86, Thursday, March 2, 1939, 2:00 p. m.

L. B. No. 120, Thursday, March 2, 1939, 2:00 p. m.

L. B. No. 436, Thursday, March 2, 1939, 2:00 p. m.

L. B. No. 88, Tuesday, March 7, 1939, 2:00 p. m.

L. B. No. 112, Tuesday, March 7, 1939, 2:00 p. m.

L. B. No. 124, Tuesday, March 7, 1939, 2:00 p. m.

L. B. No. 426, Thursday, March 9, 1939, 2:00 p. m.

L. B. No. 406, Thursday, March 9, 1939, 2:00 p. m.

L. B. No. 281, Thursday, March 9, 1939, 2:00 p. m.

L. B. No. 259, Thursday, March 9, 1939, 2:00 p. m.

L. B. No. 260, Thursday, March 9, 1939, 2:00 p. m.

L. B. No. 353, Thursday, March 9, 1939, 2:00 p. m.

L. B. No. 354, Thursday, March 9, 1939, 2:00 p. m.

L. B. No. 69, Tuesday, March 14, 1939, 2:00 p. m.

L. B. No. 380, Tuesday, March 14, 1939, 2:00 p. m.

L. B. No. 258, Tuesday, March 14, 1939, 2:00 p. m.

L. B. No. 412, Tuesday, March 14, 1939, 2:00 p. m.

L. B. No. 423, Tuesday, March 14, 1939, 2:00 p. m.

L. B. No. 313, Thursday, March 16, 1939, 2:00 p. m.

L. B. No. 468, Thursday, March 16, 1939, 2:00 p. m.

L. B. No. 21, Thursday, March 16, 1939, 2:00 p. m.

L. B. No. 20, Thursday, March 16, 1939, 2:00 p. m.

L. B. No. 38, Thursday, March 16, 1939, 2:00 p. m.

L. B. No. 381, Thursday, March 16, 1939, 2:00 p. m.

Revenue

L. B. No. 190, Tuesday, February 21, 1939, 2:00 p. m.

L. B. No. 247, Tuesday, February 21, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL NO. 139. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 139:

1. Amend the original bill, page 2, Section 1, lines 13, 14, 15 and 16, (the printed bill, page 1, Section 1, lines 10, 11, 12 and 13), by striking out the words, "Agriculture, civics, arithmetic, geography, grammar, history, orthography, physiology, reading." and inserting in lieu thereof the words, "Arithmetic, agriculture and geography, history and civics, physiology and hygiene, grammar, reading, spelling and penmanship."

2. Amend the original bill, page 3, section 1, lines 60, 61, and 62, (the printed bill, page 2, section 1, lines 48, 49 and 50), by striking out all words after the word "viz;" and before the words "and that", and insert in lieu thereof the following words: "Agriculture and Geography as one examination subject, History and Civics as one examination subject, Physiology and Hygiene as one examination subject, Arithmetic, Grammar, Spelling, Reading and Penmanship, which latter examination subject shall be graded on the basis of the penmanship in the former examination subject papers,".

3. Amend the original bill, page 4, section 1, line 69, (the printed bill, page 3, section 1, line 56), by inserting, after the second appearance in the said line of the original bill and the only appearance in said line of the printed bill, of the word "grade" and before the word "to" the following: "or who, while residing in a rural school district completes the work of the first 8 grades in a district maintaining an accredited high school."

4. Amend the original bill, page 4, section 1, line 74, (the printed bill, page 3, section 1, line 60), by striking out the following words after the word "district": "of his former residence" which words immediately precede the word "that".

5. Amend the original bill, page 6, section 2, line 14, (the printed bill, page 4, section 2, line 11), by inserting the word "by" at the beginning of the line.

LEGISLATIVE BILL NO. 218. Placed on General File.
(Signed) Schultz, Chairman.

Banking, Commerce and Insurance

LEGISLATIVE BILL NO. 85. Placed on General File.
(Signed) Hall, Chairman.

LEGISLATIVE ADMINISTRATION

January Expenditures

Fund No. 1		$2,000.00
Postage	**$2,000.00**	
Total		2,000.00
Balance in Fund No. 1		0,000.00
Fund E-2		$75,000.00

Members' Salaries, First Installment		$20,299.87	
Total			$20,299.87
Balance in Fund E-2			$54,700.13
Funds E-3, E-4, E-5			$35,022.89
Members' Mileage, E-3		$ 557.70	
Officers' & Employees' Salary, E-4	$5,266.72		
Legislative Reference Bureau, E-4	2,000.00		
		$ 7,266.72	
Printing & Office Expenses, E-5		780.68	
Total			$ 8,605.10
Balance in Funds E-3, E-4, E-5			$26,417.79
Fund No. 8 (Balance on hand January 1st)			$ 1,800.00
Clerk of Legislature Salary		$300.00	
Total			$ 300.00
Balance in Fund No. 8			$ 1,500.00

Note: An unexpended balance of $5,936.08 remains in Fund No. 10 which was appropriated for the payment of printing the Legislative Journals of the Fifty-second Session of the Nebraska State Legislature and the Session Laws of 1937.

Officers' and Employees' Position, Rate and Salary, January, 1939

Name	Position	Rate	Amount
Thelma Dinkel	Telephone Operator	$3.25	$ 65.00
Geraldine Gamble	Sec'y., Lt. Gov.	5.00	115.00
Laura Mae Grimes	Ass't. Jrnl Clerk	4.00	94.00
Lyda Hafer	Journal Clerk	5.00	130.00
Agnes Heagney	Chief Engro. Clerk	5.00	127.50
F. J. McGhan	Bookkeeper	4.50	85.50
Clara C. Turbyfill	Ass't. Bookkeeper	4.00	92.00
Cleo Lee	Stenographer	4.00	88.00
Guila Darling	Stenographer	4.00	66.00
Donna Jean Mickle	Stenographer	4.00	56.00
Betty June Holmes	Stenographer	4.00	48.00
Hazel Capsey	Stenographer	4.00	80.00
Helen Johnson	Stenographer	4.00	78.00
George Schmit	Stenographer	4.00	16.00

Name	Position	Rate	Amount
E. Dorothy Jenson	Stenographer	4.00	68.00
Mildred Vavra	Stenographer	4.00	68.00
Maxine Ellsworth	Stenographer	4.00	88.00
Ruth Gayle Griffin	Stenographer	4.00	96.00
Jean Spencer	Stenographer	4.00	92.00
B. H. Cowger	Stenographer	4.00	88.00
Margaret Devers	Stenographer	4.00	78.00
Nina Burton	Stenographer	4.00	76.00
Katherine McKean	Stenographer	4.00	66.00
Frances Patrick	Stenographer	4.00	76.00
Mrs. George Abel	Stenographer	4.00	64.00
Jane Beales	Stenographer	4.00	20.00
Helen Borner	Stenographer	4.00	24.00
Gentry Hobson	Stenographer	4.00	72.00
Marie Kepner	Stenographer	4.00	8.00
Nellie von Dorn	Stenographer	4.00	32.00
Rosa Bickert	Committee Clerk	5.00	100.00
Lucile Ledwith	Committee Clerk	5.00	92.50
Paul M. Hawkins	Page	3.25	
	Committee Clerk	5.00	114.50
Robert F. Cocklin	Page	3.25	
	Committee Clerk	5.00	69.50
L. T. Fleetwood	Committee Clerk	5.00	55.00
Walter M. Herbert	Committee Clerk	5.00	70.00
Frank E. Wood	Chief Bill Clerk	4.50	108.00
John Donahoe	Ass't. Bill Clerk	4.00	78.00
Joseph Henry	Ass't. Bill Clerk	4.00	76.00
Herman Kroon	Ass't. Bill Clerk	4.00	78.00
W. G. Adams	Ass't. Bill Clerk	4.00	76.00
Dorsey Farris	Ass't. Bill Clerk	4.00	44.00
Carl Peterson	Ass't. Bill Clerk	4.00	8.00
Frank Cameron	Ass't. Bill Clerk	4.00	28.00
Eugene G. Fowler	Page & Messenger	3.25	78.00
Harold Mack	Page & Messenger	3.25	78.00
Gilbert Benson	Page & Messenger	3.25	65.00
Steve Grandinetti	Page & Messenger	3.25	55.25
Henry T. Remington	Page & Messenger	3.25	19.50
Charles Vogt, Jr.	Doorkeeper	3.50	

Name	Position	Rate	Amount
	Bill Clerk	4.00	56.50
Edw. J. Branigan	Doorkeeper	3.50	
	Bill Clerk	4.00	49.50
Michael A. Gergen	Chamber Custodian	100.00 Mo	100.00
Oscar F. Roeser	Ass't. Custodian	3.50	87.50
Udel Ragin	Ass't. Custodian	3.50	64.75
William Burns	Ass't. Custodian	3.50	21.00
Fred Markel	Ass't. Custodian	3.50	71.75
Chas. Coffey	Ass't. Custodian	3.50	40.25
R. F. Rohman	Ass't. Custodian	3.50	87 50
Carl Butkus	Gallery Custodian	3.50	59.50
Geo. A. Roberts	Gallery Custodian	3.50	63.00
G. F. Martin	Cloak Room Att'd.	3.50	63.00
E. J. Keogh	Cloak Room Att'd.	3.50	63.00
Charles A. Webbert	Proof Reader	.50 hr.	37.12
M. Alice Skiff	Proof Reader	.50 hr.	45.00
Agnes M. Peterson	Proof Reader	.50 hr.	45.00
J. E. Knajdl	Proof Reader	.50 hr.	39.50
Thomas J. Doran	Proof Reader	.50 hr.	7.75
Barlow Nye	Att'y. for Enroll. & Review	375.00 Mo	169.35

Officers of the Legislature

Louis R. Eby	First Ass't. Clerk	8.00	200.00
George L. Santo	Sergeant at Arms	4.50	121.50
Tracy Frost	Ass't. Sergeant at Arms	4.00	108.00
Mrs. Marion J. Cushing	Postmaster	4.00	116.00
Rev. L. L. Chambers	Chaplain	4.00	100.00
Legislative Ref. Bureau			$ 2,000.00
Total, E-4		$7,266.72	
Hugo F. Srb	Clerk of the Legislature	300.00 Mo	300.00
Total, E-8		$ 300.00	

(Signed) Carsten, Chairman

MOTION—To Dispense With Reading Report.

Mr. President: Since the report will be printed in the Journal, I move the Clerk dispense with reading the same to the Legislature. Carsten.

The motion prevailed.

Enrollment and Review

LEGISLATIVE BILL NO. 14. Placed on Select File with admendments.

E and R amendments to L. B. No. 14:

I. Amend the original bill, page 17, Section 15, line 12 (the printed bill, page 12, Section 15, line 10) by inserting the punctuation "," after the word "terms" and before the word "that" therein.

II. Amend the original bill, page 18, Section 15, line 31 (the printed bill, page 13, Section 15, line 25) by striking the definite article "the" therein.

III. Amend the original bill, page 18, Section 15, line 41, (the printed bill,, page 13, Section 15, line 33) by striking the word "assessment" therein and by inserting in lieu thereof the word **"assessments"**.

IV. Amend the original bill, page 18, Section 15, line 47 (the printed bill, page 13, Section 15, line 38) by striking therefrom "Section 6104 (77-2101), of this chapter" and by inserting in lieu thereof the following:

"Sec. 77-2101, Comp. St. Supp., 1937, as amended".

V. Amend the original bill, page 19, Section 15, line 56 (the printed bill, page 13, Section 15, line 46) by striking the word "Several" and by inserting in lieu thereof the word **"several"**.

VI. Amend the original bill, page 19, Section 15, line 60 (the printed bill, page 13, Section 15, line 49) by inserting the punctuation "," after the preposition "to" and before the adjective "such"; and after the word "EQUITY" in line 62 of the original bill (line 51 of the printed bill) insert the punctuation ".", and strike the "." after the word "Defendants".

VII. Amend the original bill, page 23, Section 18, line 30 (the printed bill, page 17, Section 18, line 25) by striking the punctuation ":" therein and by inserting in lieu thereof the punctuation ".".

VIII. Amend the original bill, page 29, Section 21, line 82 (the printed bill, page 20, Section 21, line 64) by inserting the article "a" after the adjective "such" and before the word "levy" therein.

IX. Amend the original bill, page 29, Section 21, line 89 (the printed bill, page 20, Section 21, line 70) by striking the punctuation "." therein and by inserting in lieu thereof the punctuation ":"; and inserting the punctuation "," after the word "Provided" and before the word "that".

X. Amend the original bill, page 38, Section 31, line 2 (the printed bill, page 26, Section 31, line 1) by striking the second arabic numeral "1" and by inserting in lieu thereof the arabic numeral **"7"**.

XI. Amend the original bill, page 38, Section 31, line 19 (the printed bill, page 26, Section 31, line 16) by striking the word "have" therein and by inserting in lieu thereof the word **"has"**.

XII. Amend the original bill, page 41, Section 33, line 36 (the printed bill, page 28, Section 33, line 29) by inserting the punctuation "," after the word **"Provided"**.

XIII. Amend the original bill, page 47, Section 39, line 66 (the printed bill, page 32, Section 39, line 52) by striking the word "purchaser" therein and by inserting in lieu thereof the word **"purchasers"**.

XIV. Amend the original bill, page 47, Section 41, line 7 (the printed bill, page 33, Section 41, line 6) by striking the section symbol "77-239" and by inserting in lieu thereof the section symbol **"77-2039"**.

XV. Amend the original bill, page 19, Section 15, line 72 (the printed bill, page 13, Section 15, line 59) by inserting the punctuation "," after the word "against".

XVI. Amend the original bill, page 25, Section 18, line 39 the printed bill, page 17, Section 18, line 53) by striking therefrom "77-1953" and inserting in lieu thereof "77-1963".

XVII. Amend the original bill, page 30, Section 22, line 15 (the printed bill, page 21, Section 22, line 12) by striking the word "cost" and inserting the word **"costs"**.

XVIII. Amend the original bill, page 12, Section 11, line 14, by underlining **"Legislative Bill No. 14, Fifty-third"**.

XIX. Amend the original bill, page 41, Section 34, line 13 (the printed bill, page 28, Section 34, line 11) by striking the figure "7" and inserting in lieu thereof the following word and figures:

"seven (7%)

XX. Amend the Standing Committee Amendment 2, line 21, by inserting the punctuation "," after the words and figures "March 19, 1937."

LEGISLATIVE BILL NO. 5. Placed on Select File with amendments.

E and R amendments to L. B. No. 5:

I. Amend the original bill, page 1, Section 1, line 8 (the printed bill, page 1, Section 1, line 7) by striking the punctuation "," after the word "provided" therein and by inserting in lieu thereof the punctuation ":" and in said line insert the punctuation "," after the word "Provided" therein; and in line 10 of said Section 1 of the original bill (line 8 of the printed bill) strike 'County Assessor" and insert in lieu thereof **"county assessor".**

II. Amend the original bill, page 2, Section 1, line 15 the printed bill, page 1, Section 1, line 12) by striking the word "to" therein and by inserting in lieu thereof the word **"shall"**; and in said line 15, Section 1 of the original bill (the printed bill, Section 1, line 12) strike "County Board" and insert in lieu thereof the words **"county board".**

III. Amend the original bill, page 2, Section 1, line 16 (the printed bill, page 1, Section 1, line 13) by striking the punctuation "," therein and by inserting in lieu thereof the following: **"; and ".**

IV. Amend the original bill, page 2, Section 1, line 17 (the printed bill, page 1, Section 1, line 13) by striking the last preposition "to" therein and by inserting in lieu thereof the word **"shall".**

V. Amend the original bill, page 2, Section 1, line 19 (the printed bill, page 1, Section 1, line 15) by striking therefrom the word "County" and by inserting in lieu thereof the word **"county".**

VI. Amend the original bill, page 1, Caption "Introduced by" by striking all of said caption after the word "by" and by inserting in lieu thereof the following:

"Edwin Schultz of Antelope, A. M. Johnston of Hall, Jay Hastings of Polk, Frank Sorrell of Otoe, John S. Callan of Gage, E. M. Neubauer of Harlan, Martin J. Mischke of Knox, J. Lyndon Thornton of Jefferson, Tom Lambert of Platte, James E. Reed of Lancaster and Leland R. Hall of Adams."

LEGISLATIVE BILL NO. 52. Placed on Select File with amendments.

E and R amendments to L. B. No. 52:

I. Amend the original bill, title, line 6 (line 4, title, in the printed bill) by striking the word "Section" and inserting in lieu thereof the word "Sec."

LEGISLATIVE BILL NO. 59. Placed on Select File with amendments.

E and R amendments to L. B. No. 59:

I. Amend the original bill, page 2, Section 1, line 19 (page 2, Section 1, line 14 of the printed bill) by inserting the punctuation "," after the conjunction "and" therein.

II. Amend the original bill, title, page 1, line 8 (title, page 1, line 5, of the printed bill), by striking the word "with" and inserting in lieu thereof the following:

"by the chief of the fire department and allowed by"

III. Amend the original bill, title, page 1, lines 9 and 10, (printed bill, page 1, title, lines 6 and 7), by striking the following: "by the chiefs of fire departments therein"

LEGISLATIVE BILL NO. 77. Placed on Select File.

Correctly Engrossed

L. B. No. 27	L. B. No. 31	L. B. No. 22
L. B. No. 39	L. B. No. 43	L. B. No. 9
L. B. No. 42		

(Signed) Craven, Chairman.

LEGISLATIVE RESOLUTION NO. 11

Flag Week

Introduced by W. H. Diers of York.

WHEREAS, The whole world, rent assunder by strife and contention, violence and intolerance, is today in a state of turmoil and uncertainty, marked by a titanic struggle between Democracy and Autocracy, while in this Country anti-American forces are striving to discredit and destroy the ideals and institutions symbolized by the American Flag, and social, political and economic forces are combating one another; and

WHEREAS, Never before in the history of the Nation has there been greater need among our people for the unity, cooperation and tolerance for which our Country's Flag stands; and

WHEREAS, With the Stars and Stripes as its emblem The United States Flag Association, a non-profit, non-partisan and non-sectarian organization incorporated under Federal law and headed by the President of the United States as Honorary President General, is, with the cooperation of various groups, organizations and fields of activity in our

National life, conducting a National Patriotic Revival, culminating in FLAG WEEK, June 8th to 14th next, for the two-fold purpose (1) of awakening our people to the dangers threatening our National life, thereby causing them to resolve as never before to uphold and preserve our Country's ideals and institutions, and (2) of promoting National Unity, Patriotic Cooperation and Racial and Religious Tolerance; therefore be it

RESOLVED by the Legislature of the State of Nebraska that they heartily indorse the plan for a great National Patriotic Revival, and that the Governor is hereby authorized and requested, first, to direct the State Commissioner of Public Instruction to arrange for the suitable observance of FLAG WEEK in all the public schools, and, secondly, to issue a proclamation calling upon the State officials to display the United States Flag on all State buildings during FLAG WEEK, and inviting the people of the State to fly the Flag at their homes and other suitable places as well as on their cars, and that in every community they hold special exercises at which means shall be taken to give significant expression to our thoughtful love of America, our pride in its glorious history, our faith in its destiny, our devotion to its ideals and institutions and our determination to uphold and preserve them now and forever.

BILLS ON FIRST READING

Mr. President: I move that the rules be suspended and that the Appropriations Committee be allowed to introduce L. B. No. 489. Brady.

The motion prevailed with 36 ayes, no nays, 7 not voting.

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 489. By Committee on Appropriations.

A bill for an Act to amend Sec. 83-964, Comp. St. Supp., 1937, relating to state institutions; to provide for reimbursement and replenishment of the General Fund of the State of Nebraska for the cost of installation of equipment for the purpose of carrying out the provisions of the state-use system of prison employment; to repeal said original section; and to declare an emergency.

BILLS ON SECOND READING

Mr. President: I move that the rules be suspended and that L. B. No. 489 be read the second time. Brady.

The motion prevailed with 39 ayes, no nays, 4 not voting.

The following bill was read the second time by title:
(For titles see Bills on First Reading)

L. B. No.	**Introducer**	**Reference**
489	Committee on Appropriations	Appropriations

GENERAL FILE

Mr. Doyle presiding.

LEGISLATIVE BILL NO. 78. Referred to E and R for review.

LEGISLATIVE BILL NO. 64. Referred to E and R for review.

LEGISLATIVE BILL NO. 17. Placed at foot of General File.

LEGISLATIVE BILL NO. 165.
LEGISLATIVE BILL NO. 166. } Replaced on General File following L. B. No. 17.
LEGISLATIVE BILL NO. 167.

LEGISLATIVE BILL NO. 68. Replaced on General File following L. B. No. 167.

LEGISLATIVE BILL NO. 32. Replaced on General File following L. B. No. 68.

LEGISLATIVE BILL NO. 93. Read and considered.

Standing Committee amendment found in the Legislative Journal for the Twenty-ninth Day was adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 26. Passed over.

LEGISLATIVE BILL NO. 23. Read and considered. Laid over.

LEGISLATIVE BILL NO. 24. Passed over.

LEGISLATIVE BILL NO. 25. Passed over.

LEGISLATIVE BILL NO. 34. Read and considered.

Referred to E and R for review.

President Johnson presiding.

LEGISLATIVE BILL NO. 111. Read and considered.

Laid over one day for amendment.

MOTION—To Rerefer

Mr. President: I move that L. B. No. 181 be rereferred to Committee on Public Health and Miscellaneous Subjects. Dunn.

The motion prevailed.

Member Excused.

Mr. Miller was excused at 9:55 for thirty minutes.

Adjournment

At 11:55 a. m. on motion by Mr. Mischke the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

THIRTY-THIRD DAY

Legislative Chamber,
Lincoln, Nebraska, February 16, 1939.

The Legislature met at 9:09 a. m., President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Reavis who was excused.

The Journal for the Thirty-second Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Carlson, one, opposing L. B. No. 139; Mr. Mischke, one, favoring L. B. No. 75 and L. B. No. 298; Mr. Gantz, one, Mr. Garber, one, favoring L. B. No. 61; Mr. Doyle, one, Mr. Mueller, one, opposing L. B. No. 158; Mr. Brodecky, one, opposing any form of taxation on pulic power districts; Mr. Ashmore, one, favoring L. B. No. 299, L. B. No. 300 and L. B. No. 301; Mr. Lambert, one, opposing L. B. No. 17; Omaha members, one, favoring L. B. No. 41; Mr. Diers, one, opposing L. B. No. 29, L. B. No. 247, L. B. No. 276 and L. B. No. 310; Mr. Mueller, three, opposing L. B. No. 134.

NOTICE OF COMMITTEE HEARINGS

Appropriations

L. B. No. 489, Monday, February 20, 1939, 2:00 p. m.

Committee on Committees

Reappointment of Neil C. Vandemoer as Director of Assistance for the term ending January, 1941. Monday, February 20, at 1:00 o'clock in the Old Senate Chamber.

Reappointment of Harry Bane as Director of the State Employment Service. Monday, February 20, at 1:00 o'clock in the Old Senate Chamber.

Reappointment of Robert T. Malone as Director of the Unemployment Compensation Division. Monday, February 20, at 1:00 o'clock in the Old Senate Chamber.

Appointment of Dr. Walter Benthack as a member of the Board of Education of State Normal Schools. Monday, February 20, at 4:00 o'clock in the Old Senate Chamber.

Reappointment of William H. Smith as State Tax Commissioner. Monday, February 20, at 4:00 o'clock in the Old Senate Chamber.

Reappointment of Mrs. Evelyn A. Ryan as a member of the Board of Education of State Normal Schools for the term ending January, 1945. Monday, February 20, at 4:00 o'clock in the Old Senate Chamber.

Government

L. B. No. 290, Wednesday, February 22, 1939, 2:00 p. m.

L. B. No. 291, Wednesday, February 22, 1939, 2:00 p. m.

Public Works

L. B. No. 206, Wednesday, February 22, 1939, 2:00 p. m.

L. B. No. 215, Wednesday, February 22, 1939, 2:00 p. m.

L. B. No. 223, Wednesday, February 22, 1939, 2:00 p. m.

L. B. No. 229, Wednesday, February 22, 1939, 2:00 p. m.

L. B. No. 255, Wednesday, February 22, 1939, 2:00 p. m.

L. B. No. 256, Wednesday, February 22, 1939, 2:00 p. m.

L. B. No. 273, Friday, February 24, 1939, 2:00 p. m.

L. B. No. 276, Friday, February 24, 1939, 2:00 p. m.

L. B. No. 319, Friday, February 24, 1939, 2:00 p. m.

L. B. No. 335, Wednesday, March 1, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL NO. 109. Placed on General File with amendments.

(Standing Committee amendments mimeographed in lieu of printing in Journal). (Signed) Howard, Chairman.

Revenue

LEGISLATIVE BILL NO. 3. Placed on General File with amendments.

(Standing Committee amendments mimeographed in lieu of printing in Journal).

LEGISLATIVE BILL NO. 15. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 15:

1. Amend the original bill, page 1, Section 1, line 7 (the printed bill, page 1, Section 1, line 6) by striking therefrom the word "one-half" therein and by inserting in lieu thereof the word "one".

2. Amend the original bill, page 2, Section 2, line 6 (the printed bill, page 1, Section 2, line 4) inserting after the word "persons" the following:

": Provided, that no more than five per cent of the moneys arising under this Act shall be expended for salaries and expenses of administration of such activities as provided therein by any county".

3. Amend the original bill, page 1, title, line 5, (the printed bill, page 1, title, line 4) by striking therefrom the word "one-half" and by inserting in lieu thereof the word "one".

4. Amend the original bill, page 1, title, line 11, (the printed bill, page 1, title, line 7) by inserting after the figures and punctuation "1938;" therein the following:

"to limit the cost of administration of all activities conducted thereunder in each county to an amount not exceeding five per cent of the moneys arising under this Act;".

LEGISLATIVE BILL NO. 90. Placed on General File.
(Signed) Ashmore, Chairman.

Judiciary

LEGISLATIVE BILL NO. 172. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 172:

1. Amend the original bill, page 2, Section 2, line 7 (the printed bill, page 1, Section 2, line 5) by striking therefrom the word "One" therein and by inserting in lieu thereof the Roman numeral "I"; and in said line 7 of the original bill (line 6 of the printed bill) strike the punctuation "," after the Arabic numeral "6".

2. Amend the original bill, page 2, Section 3, line 3 (the printed bill, page 2, Section 3, line 3) by striking therefrom the word "Regular" and by inserting in lieu thereof the word "regular".

3. Amend the original bill, page 3, Section 5, line 3 (the printed bill, page 2, Section 5, line 2) by striking the word "Legislative" therein and by inserting in lieu thereof the word "legislative".

4. Amend the original bill, page 3, Section 5, line 5 (the printed bill, page 2, Section 5, line 4) by striking therefrom the abbreviation and punctuation "Art." therein and by inserting in lieu thereof the word "Article".

LEGISLATIVE BILL NO. 16. Placed on General File.
(Signed) Thomas, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 164. Placed on Select File with amendments.

E and R amendments to L. B. No. 164:

I. Amend the original bill, title, line 3, (the printed bill, title, line 3), by striking the word "and" following the word "hundred" and preceding the word "fourteen".

II. Amend the original bill, page 1, Section 1, line 4, (the printed bill, page 1, Section 1, line 3) by striking the word "and" following the word "hundred" and preceding the word "fourteen".

III. Amend the original bill, page 2, Section 1, line 11, (the printed bill, page 1, Section 1, line 8), by striking the word "and" following the word "hundred" and preceding the word "thirty-seven".

IV. Amend the original bill, page 2, Section 1, line 14, (the printed bill, page 1, Section 1, line 11), by striking the word "and" following the word "hundred" and preceding the word "eleven".

LEGISLATIVE BILL NO. 40. Placed on Select File with amendments.

E and R amendments to L. B. No. 40:

I. Amend original bill, pages 2 and 3, Section 2, lines 4 to 31 (the printed bill, page 2, Section 2, lines 3 to 22) by striking the punctuation "," wherever the same appears before the Roman numerals II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, and in said line 30 of the original bill (the printed bill, line 22) after the word "partner" and before the word "and", and insert the punctuation ";" in each place where the "," is stricken.

(Signed) Craven, Chairman.

RESOLUTIONS

Mr. Diers called up Resolution No. 11 offered on the Thirty-second Day, concerning Flag Week, and moved its adoption.

The motion prevailed and the resolution was adopted.

SELECT FILE

LEGISLATIVE BILL NO. 164. Mr. Diers moved to suspend rules and consider.

The motion prevailed with 35 ayes, no nays, 8 not voting.

E and R amendments as found in this day's Legislative Journal were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 14.

E and R amendments as found in the Legislative Journal for the Thirty-second Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 5.

E and R amendments as found in the Legislative Journal for the Thirty-second Day were adopted.

Unanimous consent was granted to Mr. Mueller to offer an amendment.

Select File amendment to L. B. No. 5 adopted:

In line 3 of the title strike the figures 1940 and insert in lieu thereof the figures 1941.

In line 4, Sec. 1, strike the figures 1940 and insert in lieu thereof the figures 1941.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 52.

E and R amendments as found in the Legislative Journal for the Thirty-second Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 59.

E and R amendments as found in the Legislative Journal for the Thirty-second Day were adopted.

Laid over.

LEGISLATIVE BILL NO. 77. Report adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 40.

E and R amendments as found in this day's Legislative Journal were adopted.

Referred to E and R for engrossment.

GENERAL FILE

Mr. Ernest A. Adams presiding.

LEGISLATIVE BILL NO. 26. Read and considered.

Standing Committee amendments adopted.

General File amendments to L. B. No. 26 adopted:

1. Amend the printed bill, page 4, Section 3, line 20, by inserting after the word "board" therein the following:

": Provided, in counties having a population of more than two hundred thousand inhabitants, it shall be the duty of the judges of the district court of the county to recommend to said budget-making authority the amount which they consider necessary to be included in said budget for the operation and maintenance of the district court, the county court and the office of the clerk of the district court;".

2. Amend the printed bill, page 5, Section 5, line 4 by striking the conjunction "and" after the word "county" and before the word "revise" and by inserting in lieu thereof the following:

"and shall consider in connection therewith the recommendation of the judges of the district court with respect to the requirements of and the amount which they consider necessary for the operation and maintenance of the district court, the county court and the office of the clerk of the district court, as provided in Section 26-2105, Comp. St. Supp,. 1937, as amended by Section 3 of this Act, and shall".

3. Wherever the Bill No. is left blank insert the figure 26.

Referred to E and R for review.

LEGISLATIVE BILL NO. 23. Read and considered.

General File amendments to L. B. No. 23 adopted:

Amend Sec. 1, page 2, line 38 by inserting the words **"or repair"** following the word "erection" and by inserting the words **"or courthouse"** following the word "Jail" and by inserting the words "or repair" following the word "erection", line 41.

Amend Section 1 by striking out the word "four" in line 63 on page 3 of the printed bill and inserting in lieu thereof the word "three".

Amend Section 1, page 3, line 67 by striking the word "than" and substituting in lieu thereof the word "except".

Add the name William J. Norman of Douglas as a co-introducer.

Referred to E and R for review.

LEGISLATIVE BILL NO. 24. Read and considered.

General File amendment to L. B. No. 24 adopted:

Add the name William J. Norman of Douglas as a co-introducer.

Referred to E and R for review.

LEGISLATIVE BILL NO. 25. Read and considered.

General File amendment to L. B. No. 25 adopted:

Add the name William J. Norman of Douglas as a co-introducer.

Referred to E and R for review.

LEGISLATIVE BILL NO. 111. Passed over.

LEGISLATIVE BILL NO. 121. Read and considered.

Mr. Brady offered the following amendment:

Where 90 days appears in the bill, that 180 days be substituted.

Laid over.

LEGISLATIVE BILL NO. 123. Passed over.

Placed at foot of General File.

LEGISLATIVE BILL NO. 76. Read and considered.

Standing Committee amendments adopted.

Laid over.

MESSAGE FROM GOVERNOR

Items in Budget

February 16th, 1939.

To the Members of the Fifty-Third Session
of the Nebraska Legislature.

Gentlemen:

On January 25th, I sent to the legislature a message explanatory of the erroneous application of a six per cent reduction to certain items in the budget. Again, on February 13th, I sent a message to the legislature containing a statement of the necessity for absorbing a deficiency in the general fund by reducing expenditures rather than by increasing taxes.

However, as a result of conversations with members of your appropriations committee, request has been made for a more detailed statement which would assist the committee in their deliberations and study of the budget.

It should be recalled, as set forth in my budget message, that a reduction of six per cent in property tax fund appropriations for the next biennium was recommended in order to carry out a recommendation of the legislative council that appropriations for the next biennium be limited to a figure which would make possible the absorption, during the next biennium, of any deficiency in the general fund resulting from delinquencies in tax payments during this biennium, and at the same time keep the average state tax levy on a level with that prevailing during the present biennium.

I stated also in my budget message, that wherever practical in the interest of economy as well as in the interest of equality between departments and bureaus, we expect to apply the same policy, relative to reductions, to departments and bureaus maintained by cash funds as in the case of those agencies maintained with property tax funds. This policy was followed by the budget director in preparing the budget. However, he erroneously extended this principle to federal funds and to some cash funds where its application is not practical. For the purpose of clarity, it should be pointed out, in connection with the federal appropriation for the state employment service, that the six percent reduction as made should stand for the reason that the property tax funds used to match these federal funds are reduced by six per cent.

Those items to which the six per cent reduction was applied erroneously are listed as follows, with amounts given as they should have appeared in the budget:

Department of Health

For Benefit of Professions (cash funds)	2,447.25
Public Health Works and Personnel Training (fed.)	85,945.00
Maternal and Child Health Activities (federal) ..	48,120.00

Department of Roads and Irrigation

Salaries and Wages from Gas Tax (cash funds) ..	425,000.00
Maintenance from Gas Tax (cash funds)	125,000.00
State Highway Administration (3½% M. V. Fees)	140,000.00
Road Maintenance (30% M. V. Fees) (Cash fund) ..	1,200,000.00
Road Maintenance from Gas Tax (cash funds)	5,200,000.00

Board of Vocational Education

Federal Vocational Education—Smith-Hughes (federal)	164,561.08
Vocational Rehabilitation of Physically Disabled Persons (federal)	46,852.00
George Deen Fund (federal)	385,368.54

Game, Forestation and Parks Commission

Administration (sale of hunting and fishing permits) (cash funds)	320,000.00
For each Park—cash receipts (cash funds)	9,700.00

State Assistance Committee

Administration—2% (federal funds)	102,170.61
Assistance Fund (federal funds)	5,842,109.72

University of Nebraska

Bankhead-Jones Agricultural (federal)	19,000.00
Agricultural and Mechanical Arts (federal)	168,085.80

Smith Lever Fund (federal)	155,882.36
Agricultural Experiment Station (federal)	60,000.00
Purnell Fund (federal)	120,000.00
Capper-Ketchum Fund (federal)	56,506.22
Additional Federal Cooperative Fund (federal)	63,600.00
Bankhead-Jones Agricultural Extension (federal)	346,948.16

Orthopedic Hospital—Lincoln

Services for crippled children (federal)	80,000.00

In order to make the six per cent reduction effective on those cash items where it is desired to make such reductions, it is necessary that the appropriation bill carry a definite amount for such items, or that such items be limited by the language "not to exceed." There are, however, certain instances in which such limitation should not be imposed. These instances, and the reasons therefore, follow:

> In the case of the appropriation for administration and maintenance of highways, this appropriation is already limited by a fixed percentage of funds. There is the further reason that potential emergencies, such as floods and snowstorms, create great uncertainty as to expenses, thus requiring that this appropriation be a flexible item.
>
> In the case of the game, forestation and parks commission, it is felt that the total appropriation should not be limited, but that the expenditures for administration should be reduced by six per cent to conform with a general policy.

In my budget message I recommended that the three existing legislative agencies be combined into one agency by statute. These agencies are the office of the clerk, the legislative reference bureau and the legislative council. Due to the uncertainty of how much money would be required to operate the combined agency, the budget contained no recommendation for this purpose. As a result of conferences with members of the appropriations committee, it appears likely that legislation will be enacted to consolidate these agencies and that a substantial saving will be effected in tax funds. The total of the appropriations for the three agencies for the present biennium is $49,850.00. As a result of conferences with members of the appropriations committee, I am recommending an appropriation of $22,000.00 for the single agency.

At the time the budget was submitted, it was expected that the salary of the lieutenant governor would be included in the appropriation for expenses of the present legislative session. In view of the fact that the appropriation bill for the expenses of the session already has been enacted without provision for this item, it is recommended that the sum of $3,488.36 be inserted in the appropriation bill.

With these small additions to the property tax budget, attention is called to the fact that the total of my recommendations for appropriations from property tax revenue remains approximately ten per cent less than the total of appropriations from property tax revenue made two years ago for the present biennium.

Respectfully submitted
(Signed) R. L. Cochran
Governor

MOTION—Vote of Appreciation

Mr. President: I move that this Legislature extend its vote of sincere appreciation to the officers and members of the Omaha Chamber of Commerce, who made possible a most pleasant week-end entertainment for the members of the Legislature and their wives. That we vote them the well deserved title of the perfect hosts.

(Signed) W. H. Diers
Harry Gantz

The motion prevailed unanimously.

MOTION—-Program Washington's Birthday

Mr. President: I move that we observe Washington's birthday with a short program, February 22, at 11:00 a. m. (Signed) Carsten.

The motion prevailed unanimously.

Adjournment

At 12:15 p. m. on motion by Mr. Mueller the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

THIRTY-FOURTH DAY

Legislative Chamber,
Lincoln, Nebraska, February 17, 1939.

The Legislature met at 9:07 a. m., President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except John Adams, Jr., and except Mr. Reavis, Mr. Carlson and Mr. Murphy, who were excused.

The Journal for the Thirty-third day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Hastings, one, opposing L. B. No. 17, one, opposing L. B. No. 158, and L. B. No. 152, one, opposing L. B. No. 29, L. B. No 247, L. B. No. 276 and L. B. No. 310; Mr. Thornton, one, Mr. Rossiter, one, Mr. Miller, one, Mr. Schultz, as Chairman, three, all favoring L. B. No. 61; Mr. Mueller, one, opposing L. B. No. 144, L. B. No. 335 and L. B. No. 145; Mr. Miller, one, suggesting amendments to the Safety Patrol Law; Mr. Schultz, one, opposing L. B. No. 158; Mr. Van Diest, one, opposing L. B. No. 190 and L. B. No. 467; all members, two, requesting repeal of the present truck regulations.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. No. 397, Thursday, February 23, 1939, 2:00 p. m.

L. B. No. 334, Thursday, February 23, 1939, 2:00 p. m.

L. B. No. 289, Thursday, February 23, 1939, 2:00 p. m.

L. B. No. 333, Thursday, February 23, 1939, 2:00 p. m.

L. B. No. 282, Tuesday, March 7, 1939, 2:00 p. m.

L. B. No. 283, Tuesday, March 7, 1939, 2:00 p. m.

L. B. No. 309, Tuesday, March 7, 1939, 2:00 p. m.

Public Works

L. B. No. 429, Wednesday, February 22, 1939, 2:00 p. m.

L. B. No. 390, Wednesday, February 22, 1939, 2:00 p. m.

Revenue

L. B. No. 400, Thursday, February 23, 1939, 2:00 p. m.

L. B. No. 401, Thursday, February 23, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL NO. 240. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 240:

1. Amend the original bill, page 1 (the printed bill, page 1) by striking all of Section 2 thereon.

2. Amend the original bill, page 1, title, lines 6 and 7 (the printed bill, page 1, title, line 5) by striking therefrom the following:

"; and to declare an emergency".

LEGISLATIVE BILL NO. 341. Placed on General File with amendments.

(Standing Committee amendments mimeographed in lieu of printing in Journal).

(Signed) Neubauer, Chairman.

Revenue

LEGISLATIVE BILL NO. 214. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 214:

1. Amend the original bill, page 2, section 1, lines 15, 16 and 18 (the printed bill, page 1, section 1, lines 11 and 13) by striking the word **"land"** wherever the same appears in each of said lines respectively and insert in lieu thereof the words **"real property"**.

(Signed) Ashmore, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 164. Correctly engrossed.
(Signed) Craven, Chairman.

MOTION— To Place on General File.

Mr. President: I move that the rules be suspended and that L. B. No. 429 be placed at the head of General File. (Signed) Dunn, Doyle, Schultz, Klaver.

Substitute Motion

Mr. President: I move that L. B. No. 429 be set for hearing before the Committee on Public Works, on Wednesday, February 22, 1939, at 2:00 p. m. (Signed) Howard.

The substitute motion prevailed.

RESOLUTIONS

MOTION—To Amend

Mr. President: I move that Legislative Resolution No. 7 (Legislative Journal Nineteenth Day) be amended as follows: In line 8 after the word insurance insert "with a revision of the insurance laws of the state if necessary". (Signed) Miller.

The motion prevailed.

MOTION—To Amend

Mr. President: I move to change L. R. No. 7 in line 4, Section 1, the word "Fiftieth" to "Seventieth". (Signed) Miller.

The motion prevailed.

MOTION—To Amend

Mr. President: I offer the following General File amendment to L. R. No. 7, appearing on pages 194 to 196 of the Legislative Journal. (Signed) Miller.

1. Amend Legislative Resolution No. 7, page 194 by striking all of paragraph 2 thereon and by inserting in lieu thereof the following:

"2. That the sum of twenty-five thousand dollars, or so much thereof as may be necessary, is hereby made available for the use of said committee out of the unexpended balance, identified by Acct. No. 212 in the office of the Auditor of Public Accounts, arising out of appropriation heretofore made in Section 44, Chapter 193, Session Laws of Nebraska, 1937, for salaries, maintenance and expenses of the Insurance Department and Bureau of Securities, field investigation and litigation, all filing fees, registration of agents and miscellaneous fees and unexpended balance, estimated, if and when said sum is specifically reappropriated to the uses and purposes of said investigation committee by the Fifty-third Session, Nebraska State Legislature, 1939."

Motion—To Amend Mr. Miller's Motion

Mr. President: I move that the amendment offered by Mr. Miller to Section 2 of Resolution No. 7 be amended by striking out the words "twenty-five" and inserting in lieu thereof the word "two". (Signed) Mekota.

The motion prevailed.

Mr. Miller's motion as amended prevailed.

MOTION—To Amend L. R. No. 7

Mr. President: I move the resolution be amended by inserting in line 8, after the word Insurance "and Bureau of Securities". (Signed) Doyle.

The motion prevailed.

MOTION—To Amend

Mr. President: I move that Legislative Resolution No. 7 be amended to read as per memorandum attached hereto. (Signed) Craven.

The motion prevailed with 23 ayes, 12 nays, 8 not voting.

Memorandum attached:

Amended Resolution for Investigating and Examination of the Department of Insurance and Insurance Companies

Preamble

WHEREAS, this Legislature has no concrete evidence before it as to the precise condition of the Department of Insurance of the State of Nebraska and insurance companies doing business in the State of Nebraska; and

WHEREAS, it appears that various court decisions have been rendered in the courts of the State of Nebraska finding irregularities in the conduct of insurance companies under the supervision of the Department; that interests of policyholders in insurance companies and their beneficiaries doing business in the State of Nebraska have not been properly safe-guarded by existing laws; and that a revision of the insurance laws of the state should be undertaken; and

WHEREAS, many conflicting statements have been made with respect to the administration of the affairs of the Department of Insurance of the State of Nebraska and insurance companies doing business in the State of Nebraska and their relation to the Department of Insurance; and

WHEREAS, in fairness to the citizens and taxpayers of the State of Nebraska, and the policyholders in the various companies doing business in the State of Nebraska, there should be an official finding of fact by the Legislature at this time concerning the conduct and administration of the Department of Insurance of the State of Nebraska, and the various insurance companies doing business in the State of Nebraska and the relation of said companies to and with the Department of Insurance of the State of Nebraska; and

WHEREAS, it is expedient that as a basis for legislation the operation of such insurance companies and the Department of Insurance should be investigated as fully and as promptly as may be;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN THE FIFTY-THIRD LEGISLATIVE SESSION ASSEMBLED:

1. That the President of this Legislature (Lieutenant Governor) forthwith appoint a committee of seven (7) members from the body of this Legislature, which committee shall be known and designated as "The Legislative Insurance Investigation Committee, 1939," which committee shall proceed to investigate and examine into the business and affairs of the insurance companies doing business in the State of Nebraska and the Department of Insurance with reference to the investments of said companies, the relation of the officers thereof to such investments, the relation of such companies to subsidiary corporations, the government and control of said companies, the contractual relations of said companies to and with their policyholders, the cost of insurance, transfers of surplus from participating life insurance business to non-participating life insurance business in life insurance companies writing both participating and non-participating business, re-insurance contracts approved by the Department of Insurance, salaries of officers of insurance companies, income of officers and directors of insurance companies from said companies in excess of their salaries, income of the Director of Insurance and his employees other than salaries, stock

dividends of life insurance companies, operating expense of life insurance companies, loading on policies of insurance, mortality tables, the Bureau of Securities, policy provisions, lobbying activities of insurance companies and the Department of Insurance of the State of Nebraska, and any other phases of the insurance business deemed by said "The Legislative Insurance Investigation Committee, 1939," to be proper, for the purpose of drafting and reporting to the next session of the Legislature such a revision of the laws regulating and relating to insurance in the State of Nebraska if said committee may deem proper.

2. That said committee be and hereby is authorized and empowered to require and enforce the attendance of witnesses, and the production of books and papers, to administer oaths, and to employ counsel, stenographers, clerks and such other members as may be necessary for the purpose of investigation; that said committee shall have full power and authority, and it shall be its duty to prosecute its inquiries in any and every direction and by any and every means in its judgment necessary or proper to enable it to obtain information in regard to its report on matters contemplated in this resolution; that, whenever in its judgment the public interest demands, the committee may require any public officer, deputy, assistant or any public employee paid directly or indirectly by means of public funds, or any individual, to testify before them and to produce books, papers or other documents in obedience to the subpoena of said committee.

3. That a sum not exceeding fifty thousand dollars ($50,000) is hereby re-appropriated for the uses and purpose of said "The Legislative Insurance Investigation Committee, 1939," out of any monies in the State Treasury as provided and re-appropriated in Legislative Bill No. ......, Fifty-third Session of the Nebraska State Legislature, 1939.

MOTION—To Adopt Resolution

Mr. President: I move the adoption of the resolution as amended by Mr. Craven. Doyle.

MOTION—To Indefinitely Postpone

Mr. President: I move that Legislative Resolution No. 7 be indefinitely postponed. (Signed) Peterson.

The motion was lost with 13 ayes, 23 nays, 7 not voting.

MOTION—To Amend

Mr. President: I move to amend Resolution No. 7 by striking the figures $50,000.00 and substituting in lieu thereof the figures $2,000.00. (Signed) Gantz.

MOTION—To Amend Gantz' Amendment

Mr. President: I move the Gantz amendment of $2,000.00 be changed to $5,000.00. (Signed) Doyle.

MOTION—To Adjourn

Mr. President: I move we adjourn. Mischke.

Substitute Motion

Mr. President: I move the rules be suspended and that we adjourn until 10:00 o'clock Monday. Gutoski.

Permission granted to Mr. Brady to offer a motion.

MOTION—To Set L. B. No. 390 for Hearing

Mr. President: I move that L. B. No. 390 be assigned to the Public Works Committee for hearing in conjunction with L. B. No. 429 on same date. (Signed) Brady.

The motion prevailed.

Vote was taken on Mr. Gutoski's substitute motion, to adjourn until 10:00 a. m. Monday, which was lost with 20 ayes, 14 nays, 9 not voting.

Vote was taken on Mr. Mischke's original motion to adjourn, which was lost with 13 ayes, 19 nays, 1 not voting.

Vote was taken on Mr. Doyle's motion, which was lost.

Vote was taken on Mr. Gantz' motion to amend and the motion prevailed with 18 ayes, 17 nays, 8 not voting.

MOTION—To Amend

Mr. President: I move to strike the last seven lines of Section 1 of L. R. 7, and insert the following: "and to report by the Seventieth legislative day to this Legislature its findings and facts with recommendations for further investigation". (Signed) Miller.

The motion prevailed.

MOTION—To Adopt Resolution

Mr. President: I move that L. R. No. 7 as amended be adopted.. Miller.

The motion lost with 12 ayes, 23 nays, 8 not voting.

MOTION—To Indefinitely Postpone

Mr. President: I move that L. R. No. 7 be indefinitely postponed. Tvrdik.

Record vote was requested.

A call of the House was ordered.

The call was raised.

Voting in the affirmative, 19:

Adams, E. A.
Brodecky
Callan
Carsten
Craven
Dunn
Garber
Gross
Gutoski
Hastings
Howard
Johnston
Klaver
Norman
Peterson
Schultz
Thomas
Tvrdik
Von Seggern

Voting in the negative 16:

Ashmore
Brady
Doyle
Gantz
Johnson
Lambert
Mekota
Miller
Mischke
Mueller
Neubauer
Rossiter
Sorrell
Thornton
Van Diest
Westley

Not voting, 8:

Adams, J. Jr.
Carlson
Diers
Hall
Herrick
Murphy
Reavis
Reed

The motion prevailed.

Explanation of Vote

Mr. President: While I favor an investigation, this would only be a whitewash. I therefore vote no. (Signed) Schultz.

Adjournment

Mr. President: I move we adjourn. Herrick.

Substitute Motion

Mr. President: As a substitute motion, I move that the rules be suspended and that we adjourn until 10:00 o'clock Monday.

The substitute motion was lost with 23 ayes, 12 nays, 8 not voting.

Mr. President: I move we adjourn. Herrick.

The motion prevailed and the Legislature adjourned at 12:40 p. m.

Hugo F. Srb
Clerk of the Legislature.

THIRTY-FIFTH DAY

Legislative Chamber,
Lincoln, Nebraska, February 20, 1939.

The Legislature met at 9:10 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Thirty-fourth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Thornton, one, Mr. Ashmore, one, Mr. Mischke, one, Mr. Brady, one, Mr. Neubauer, one, Mr. Doyle, one, all favoring L. B. No. 61; Mr. Sorrell, one, requesting reduction of bonds for register of deeds.

Invitation

An invitation from Governor and Mrs. Cochran was extended to the members of the Legislature and their wives to call at the mansion next Sunday afternoon, February Twenty-sixth from three until six o'clock, and an invitation to the wives of the members to have lunch with Mrs. Cochran on Monday, February Twenty-seventh at one o'clock.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. No. 150, Friday, February 24, 1939, 2:00 p. m.

L. B. No. 326, Friday, February 24, 1939, 2:00 p. m.

L. B. No. 327, Friday, February 24, 1939, 2:00 p. m.

Public Works

L. B. No. 390, Wednesday, February 22, 1939, 2:00 p. m.

L. B. No. 429, Wednesday, February 22, 1939, 2:00 p. m.

L. B. No. 185, Wednesday, March 1, 1939, 2:00 p. m.

Labor and Public Welfare

L. B. No. 141, Monday, February 27, 1939, 2:00 p. m.

L. B. No. 265, Monday, February 27, 1939, 2:00 p. m.

L. B. No. 270, Monday, February 27, 1939, 2:00 p. m.

L. B. No. 351, Monday, February 27, 1939, 2:00 p. m.

L. B. No. 389, Monday, February 27, 1939, 2:00 p. m.

L. B. No. 403, Monday, February 27, 1939, 2:00 p. m.

L. B. No. 451, Monday, February 27, 1939, 2:00 p. m.

L. B. No. 108, Monday, February 27, 1939, 7:30 p. m.

L. B. No. 143, Monday, February 27, 1939, 7:30 p. m.

L. B. No. 443, Monday, February 27, 1939, 7:30 p. m.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL NO. 58. Placed on General File.
(Signed) Von Seggern, Chairman.

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL NO. 28. Placed on General File.

LEGISLATIVE BILL NO. 75. Placed on General File.

LEGISLATIVE BILL NO. 180. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 180:

1. Amend the original bill, page 1, title, lines 10 to 18, (the printed bill, page 1, title, lines 6 to 11), by striking out that part of the title

commencing with the word "on" which word is immediately after the word "that" and before the words "the sale", down to and including the word and punctuation "bidder;" and by inserting in lieu thereof the following: "the animal and hide of each beaver so taken shall be the property of the permitee; to provide that permitee shall report to the commission within thirty days after the destruction of any beaver under said permit and shall accompany said report with a fee of one dollar for each beaver that shall have been killed or destroyed under said permit;".

2. Amend the original bill, page 2, section 1, lines 15 to 29, (the printed bill, page 2, section 1, lines 12 to 23), by striking out that part of said section commencing with the conjunction "and" which conjunction immediately follows the word "property", down to and including the word and punctuation "bidder." and by inserting in lieu thereof the following: "the commission may upon application in writing, and satisfactory showing of the necessity for the protection of such property, issue permits in writing to the owner or owners of such lands or the person or persons in control to kill or otherwise destroy such beaver. Said beaver or the hides taken from the same shall be the property of the person to whom said permit is given; and provided further, said permitee or permitees, authorized to kill or destroy such beaver, as aforesaid, shall report in writing to the commission the number of beaver destroyed under said permit within thirty days after the destruction of any of said beaver, and, accompanying said report, said permitee or permitees shall forward a fee in the sum of one dollar for each beaver so destroyed. The permit granted to kill or otherwise destroy such beaver shall continue for sixty days after the date of its issuance, unless said permit shall be terminated sooner by the written order of the commission."

LEGISLATIVE BILL NO. 183. Placed on General File.

LEGISLATIVE BILL NO. 74. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 74:

1. Amend the original bill, page 2, section 4, line 9, (the printed bill, page 2, section 4, line 7), by striking out the word "fifty" which follows the words "less than" and precedes the word "gallon", and insert in lieu thereof the word "ten".

2. Amend the original bill, page 5, section 9, lines 4 and 5, (the printed bill, page 4, section 9, line 4), by striking out the word "board" which follows the words "in which the" and precedes the word "has"

and inserting in lieu thereof the word "applicant", and by striking out the words "its office" which words follow the word "has" and precede the punctuation".", and insert in lieu thereof the words "his residence"

3. Amend the original bill, page 6, section 9, lines 30 to 33 inclusive, (the printed bill, page 5, section 9, lines 23, 24, 25 and 26), by striking out all of the following: "The Attorney General shall defend said action of the board on behalf of the state, but the county attorney of Lancaster County, at the request of the Attorney General, may also appear and defend such action.", and inserting in lieu thereof the following: "The county attorney of the county in which the applicant has his residence shall defend said action of the board on behalf of the state, but at the request of the board, the Attorney General may, in co-operation with the county attorney, appear and defend such action.".

4. Amend the printed bill, page 5, section 10, line 11, by striking the word "applinces" and inserting the word "appliances".

5. Amend the original bill, page 7, section 10, lines 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42 and 43, (the printed bill, page 6, section 10, lines 25 to 34 inclusive), by striking out all of the following: "If the board, after investigation, made either upon its own initiative or upon complaint of a group of barber shop owners or managers, which the board finds is a representative group of the barber shop owners of said legislative district, county, city, village or area outside the corporate limits of any municipality, determine that the minimum prices so fixed are insufficient to properly provide healthful services to the public and keep the shop sanitary, then the board, from time to time shall have the authority to vary or refix the minimum prices for barber work in each legislative district, county, city, village or area outside the corporate limits of any municipality.".

6. Amend the original bill, page 8, section 11, line 14, (the printed bill, page 6, section 11, line 11), by striking out the figures "$15.00" and insert in lieu thereof the figures "$5.00".

(Signed) Miller, Chairman.

Public Works

LEGISLATIVE BILL NO. 188. Rereferred to Committee on Banking, Commerce and Insurance.

(Signed) Howard, Chairman.

RESOLUTIONS

MOTION—To Reconsider

Mr. President: I move that we reconsider our action relative to the original resolution No. 7 and that same be made Special Order of Business for Wednesday, February 22, at 10:00 a. m.

(Signed) Diers.

The motion prevailed.

MOTION—To Rerefer L. B. No. 125

Mr. President: I move that L. B. No. 125 be rereferred to the Committee on Revenue, to be heard in conjunction with L. B. No. 486 and L. B. No. 487.

(Signed) Tvrdik.

Substitute Motion

Mr. President: As a substitute motion I move that L. B. No. 486 and L. B. No. 487 be taken from the Committee on Revenue and rereferred to Committee on Education.

(Signed) Klaver.

The substitute motion was lost and the original motion prevailed.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 27. (With emergency clause.)

A bill for an Act to amend Section 76-201, Compiled Statutes of Nebraska, 1929, relating to real property; to provide that deeds of real estate or any interest therein need not be executed in this state in the presence of at least one competent witness, who shall subscribe his or her name as a witness thereto; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative 39:

Adams, E. A.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Von Seggren
Westley

Voting in the negative, 0.

Not voting, 4:

Adams, J. Jr.
Garber
Gross
Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 39. (With emergency clause.)

A bill for an Act to amend Section 20-1082, Compiled Statutes of Nebraska, 1929, relating to civil procedure, district court; to provide the method and manner of serving notice of application for appointment of receiver upon the adverse party or his attorney at law; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Adams, E. A.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Von Seggren
Westley

Voting in the negative, 0.

Not voting, 3:

Adams, J. Jr.
Howard
Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 42. (With emergency clause.)

A bill for an Act to amend Sections 38-412 and 38-506, Compiled Statutes of Nebraska, 1929, relating to guardian and ward; to provide that the guardian of any ward of the United States Veterans' Bureau shall invest trust funds in accordance with Sec. 27-601, Comp. St. Supp., 1937; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, E. A.
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Mischke
Mueller
Murphy
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggren
Westley

Voting in the negative, 2:

Neubauer
Miller

Not voting, 2:

Adams, J. Jr.
Ashmore

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Explanation of Vote

Mr. President: I vote no on L. B. No. 42 as I feel it may jeopardize the present law which safeguards the investments of trust funds as now provided by law. (Signed) Miller.

LEGISLATIVE BILL NO. 31.

A bill for an Act to amend Section 26-292, Compiled Statutes of Nebraska, 1929, relating to county government and officers; to provide that township supervisors shall hereafter be elected for four year terms; to provide for the filling of vacancies in said offices; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 42:

Adams, E. A.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 1:

Adams, J. Jr.

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 43. Laid over.

LEGISLATIVE BILL NO. 22. Rereferred to Select File for specific amendment.

Specific Amendment to L. B. No. 22:

Amend by striking the word "securities" out of line 6 of printed bill and inserting the word "sureties" in lieu thereof and inserting a comma after the word "procedure" in line 3 of the title in the printed bill.

LEGISLATIVE BILL NO. 9. (With emergency clause.)

A bill for an Act to amend Sec. 20-1625, Comp. St. Supp., 1937, relating to civil procedure, district court; to provide that the Jury Commissioner in counties having a population of more than one hundred thousand and less than one hundred fifty thousand inhabitants shall be paid the necessary expenses in the performance of their ex officio duties; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 43:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 0.

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL NO. 59. Referred to E and R for engrossment.

GENERAL FILE

Mr. Mueller presiding.

LEGISLATIVE BILL NO. 111. Read and considered.

General File amendments to L. B. No. 111 adopted:

1. Amend by adding after the word "hour" in line 8 of Section 1 of the printed bill the words "between sunrise and sunset and fifty miles per hour between sunset and sunrise".

To add after the word "hour" in line 8 of Section 2 of the printed bill the words "between the hours of sunrise and sunset and fifty miles per hour between the hours between sunset and sunrise".

2. That the word "thirty-five" be changed to the word "forty" in Section 1, line 12.

3. Amend the title by adding after the word "hour" in line 5 of said bill the words "between sunrise and sunset and not exceeding fifty miles per hour between sunset and sunrise".

4. In line 45, following the word No. insert the figures "111".

Referred to E and R for review.

LEGISLATIVE BILL NO. 121. Laid over.

LEGISLATIVE BILL NO. 76.

Mr. Tvrdik offered the following amendment:

1. Amend the printed bill, page 1, by inserting immediately after Section 2, line 6 thereon a new section as follows:

"Sec. 3. All governing authorities of the State of Nebraska or their agents, mentioned in the two preceding sections shall, in awarding contracts hereunder, where there is no preference with relation to conditions of employment, no preference for Nebraska workmen, no preference for Nebraska contractors or no preference for Nebraska materials involved in said contracts, award said contracts to the lowest and best bidders, who shall be considered to be the most advantageous bidders in so far as the people of the State of Nebraska are concerned, under the terms and conditions of this Act.".

2. Amend the printed bill, page 1, Section 3, line 1 by striking the figure "3" therein and by inserting in lieu thereof the figure "4".

3. Amend the printed bill, page 1, title, line 5 by inserting after the word and punctuation "state;" therein the following:

"to provide when the lowest and best bidder shall be considered to be the most advantageous bidder in so far as the people of the State of Nebraska are concerned;".

Laid over.

LEGISLATIVE BILL NO. 33. Laid over for one day, to be mimeographed with the amendments inserted.

LEGISLATIVE BILL NO. 72. Read and considered.

General File amendment to L. B. No. 72 adopted:

1. Amend the printed bill, page 1, Section 1, line 4 by striking the word "marathon".

2. Amend the printed bill, page 1, Section 1, line 8, strike the punctuation colon and insert a punctuation period and commencing with the word "Provided" strike the remaining words in line 8, and all of lines 9, 10, and 11.

3. Amend the printed bill, title, page 1 by striking the word "marathons" and the punctuation comma following the word "marathons".

Referred to E and R for review.

LEGISLATIVE BILL NO. 139. Passed over.

LEGISLATIVE BILL NO. 218. Indefinitely postponed.

LEGISLATIVE BILL NO. 85. Read and considered.

General File amendment to L. B. No. 85 adopted:

In line 1 of the title after the figure 1 insert a comma, also in line 1 Section 1 insert a comma after the figure 1, making both read 8-1,130 in place of 8-1130.

Referred to E and R for review.

LEGISLATIVE BILL NO. 17. Placed at foot of General File.

LEGISLATIVE BILL NO. 165. Read and considered.

Mr. Reavis moved that in line 5 of the printed bill the word "twelve" be stricken and the word "eight" inserted in lieu thereof.

Mr. Murphy offered a substitute motion that the figure 8 be stricken and the word "six" be reinserted.

The substitute motion prevailed.

Mr. Herrick moved to strike the enacting clause and the motion prevailed with 20 ayes, 15 nays, 8 not voting.

Adjournment

At 12:22 p. m. on motion by Mr. Callan the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

THIRTY-SIXTH DAY

Legislative Chamber,

Lincoln, Nebraska, February 21, 1939.

The Legislature met at 9:09 a. m., President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Thirty-fifth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Carlson, one, Mr. Thornton, one, Mr. Carsten, one, Mr. Schultz, one, Committee on Education, one, all favoring L. B. No. 61; Mr. Carsten, one, favoring L. B. No. 125; Mr. Garber, one, Mr. Sorrell, one, opposing L. B. No. 189; all members, one, opposing L. B. No. 219, one, requesting tax exemption on gasoline used for farm machinery and farm purposes.

Communications

A letter was read from E. V. McKee of Grand Island presenting a gavel to the Lieutenant Governor and a letter from Harry Lohr, Mayor of Columbus, extending an invitation to the members of the Legislature to visit that city on February 25 and 26.

NOTICE OF COMMITTEE HEARINGS

Appropriations

L. B. No. 314, Monday, February 27, 1939, 2:00 p. m.

Education

L. B. No. 191, Monday, February 27, 1939, 2:00 p. m.

L. B. No. 196, Monday, February 27, 1939, 2:00 p. m.

L. B. No. 315, Monday, February 27, 1939, 2:00 p. m.

L. B. No. 465, Monday, February 27, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Committee on Committees

Member, Board of Education of State Normal Schools

Mr. President: Your Committee wish to report favorably on the appointment of Dr. Walter Benthack as a member of the Board of Education of State Normal Schools. (Signed) Murphy, Chairman.

The report was adopted.

MOTION—To Confirm Appointment

Mr. President: I move that the appointment of Dr. Walter Benthack as member of the Board of Education of State Normal Schools be confirmed. (Signed) Brodecky.

Voting in the affirmative, 38:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Diers
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 5:

Craven
Doyle
Garber
Lambert
Thomas

The motion prevailed and the appointment was confirmed.

Director of Unemployment Compensation Division

Mr. President: Your Committee wish to report favorably on the reappointment of Robert T. Malone as Director of the Unemployment Compensation Division. (Signed) Murphy, Chairman.

The report was adopted.

MOTION—To Confirm Appointment

Mr. President: I move that we confirm the appointment of Robert T. Malone as Director of the Unemployment Compensation Division. (Signed) Dunn.

Voting in the affirmative, 40:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 3:

Garber
Lambert
Thomas

The motion prevailed and the appointment was confirmed.

Director of Assistance

Mr. President: Your Committee wish to report favorably on the reappointment of Neil C. Vandemoer as Director of Assistance for the term ending January, 1941. (Signed) Murphy, Chairman.

The report was adopted.

MOTION—To Confirm Appointment

Mr. President: I move that the appointment of Neil C. Vandemoer as Director of Assistance be confirmed. (Signed) Rossiter.

Voting in the affirmative, 37:

Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 6:

Adams, E. A.
Craven
Garber
Mueller
Herrick
Thomas

The motion prevailed and the appointment was confirmed.

Director of State Employment Service

Mr. President: Your Committee wish to report favorably on the reappointment of Harry Bane as Director of the State Employment Service. (Signed) Murphy, Chairman.

The report was adopted.

MOTION—To Confirm Appointment

Mr. President: I move that the appointment of Harry Bane as Director of the State Employment Service be confirmed. (Signed) Murphy.

Voting in the affirmative, 40:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 3:

Craven
Garber
Thomas

The motion prevailed and the appointment was confirmed.

State Tax Commissioner

Mr. President: Your Committee wish to report favorably on the reappointment of Wm. H. Smith as State Tax Commissioner. (Signed) Murphy, Chairman.

The report was adopted.

MOTION—To Confirm Appointment

Mr. President: I move that the appointment of Wm. H. Smith as State Tax Commissioner be confirmed. Murphy.

Voting in the affirmative, 39:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 4:

Craven
Garber
Lambert
Thomas

The motion prevailed and the appointment was confirmed.

Statement

Mr. President: Had I been present I would have voted "aye" on all of the nominations presented this morning for confirmation. (Signed) Thomas.

Claims and Deficiencies

LEGISLATIVE RESOLUTION NO. 5. Report favorable.
(Signed) E. A. Adams, Chairman.

Labor and Public Welfare

LEGISLATIVE BILL NO. 362. Placed on General File.
(Signed) Dunn, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 66. Placed on Select File with amendments.

E and R amendments to L. B. No. 66:

I. Amend the original bill, page 1, title, line 3 (the printed bill, page 1, title, line 2) by inserting after the word and punctuation "Nebraska," therein the following:

"1929,".

II. Amend the original bill, page 1, Section 1, line 11 (the printed bill, page 1, Section 1, line 7) by striking the word "institutions" and by inserting in lieu thereof the word "institution".

LEGISLATIVE BILL NO. 30. Placed on Select File with amendments.

E and R amendments to L. B. No. 30:

I. Amend the original bill, page 2, Section 1, line 17, (printed bill, page 1, Section 1, line 14) by inserting after the word "That" and before the word "Article", the following:

"an additional Section be inserted in"

and by striking from page 2, Section 1, lines 18 and 19 of the original bill, (printed bill, page 1, Section 1, lines 14 and 15), the following: "be amended, said amendment".

II. Amend the original bill, page 2, Sec. 2, line 15 (printed bill page 2, Section 2, line 12) by inserting, after the word "appointive" and before the punctuation ",", and the original bill, page 3, Sec. 2, line 20 (the printed bill, page 2, Sec. 2, line 16), after the word "appointive" and before the punctuation " " ", the following:

", and providing that said amendment shall be effective on the first Thursday after the first Tuesday in January, 1941"

III. Amend the title, line 4, original bill, (line 3, printed bill), by inserting after the word "officers" and before the punctuation ".", the following:

"; to amend Article XVII, Constitution of Nebraska; and to provide for the effective date thereof".

IV. Amend the original bill, page 1, caption "Introduced by", in line 5 of said caption by striking therefrom the conjunction "and" and by inserting in lieu thereof the punctuation ","; and in said line 5 strike the punctuation "." and insert in lieu thereof the punctuation ","; and in line 7 of said caption strike the second punctuation "," therein and insert in lieu thereof the conjunction "and"; and in line 8 of said caption strike the initial and punctuation "P." before the word "Gutoski".

V. Amend the original bill, page 2, Sec. 2, lines 11 and 16 (the printed bill, page 2, Sec. 2, lines 9 and 13), by inserting after the Roman numeral and punctuation "IX," the following:

"and Article XVII,"

(Signed) Craven, Chairman.

RESOLUTIONS

MOTION—To Adopt L. R. No. 5

Mr. President: I move that Legislative Resolution No. 5 be adopted. (Signed) Rossiter.

Substitute Motion

Mr. President: As a substitute motion, I move that Legislative Resolution No. 5 be laid over until Thursday. Craven.

The substitute motion prevailed with 18 ayes, 15 nays, 10 not voting.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 43. (With emergency clause).

A bill for an Act to amend Section 77-1006, Compiled Statutes of Nebraska, 1929, relating to revenue; to provide that the county assessors in counties having a population of more than fifty thousand inhabitants and less than one hundred fifty thousand inhabitants shall be empowered to correct clerical errors in the tax list; to provide that the county assessor of said counties, with the approval of the county board of said counties, may correct the tax list before the tax is paid in case of erroneous assessments in said counties; to provide procedure for the exercise of said power; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, E. A.
Ashmore
Brady
Brodecky
Callan
Carlson
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 4:

Adams, J. Jr.
Carsten
Hall
Mueller

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 164. (With emergency clause)

A bill for an Act specifically to appropriate the sum of ten thousand three hundred fourteen dollars and thirty-five cents, or so much thereof as may be necessary, out of the General Fund of the State of

Nebraska to pay the premium on the official bonds of the State Treasurer and deputy State Treasurer of said state for the term commencing January 5, 1939; to pay premiums on bonds for burglary and robbery insurance and on messenger robbery insurance in connection with the office of the State Treasurer for a period ending January 13, 1941; and to declare an emergency.

Whereupon the president state: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 42:

Adams, E. A.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 1:

Adams, J. Jr.

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL NO. 22.

Specific amendment as found in the Legislative Journal for the Thirty-fifth Day was adopted.

Referred to E and R for reengrossment.

GENERAL FILE

Mr. Murphy presiding.

LEGISLATIVE BILL NO. 121.

Mr. Brady offered the following amendment:

1. Amend the printed bill, page 3, Section 1, line 65 by inserting after the word "trailer" therein the following: **"in an amount equal to the fee charged for similar registration fee by the state or country of the residence of said non-resident but not less than the Nebraska registration fee for said motor vehicle or trailer".**

Mr. Van Diest moved to amend the Brady amendment by striking the words "or country" therefrom.

The motion prevailed.

Mr. Brady's amendment, as amended, was lost.

Mr. Craven moved to refer L. B. No. 121 to E and R for review.

The motion was lost with 14 ayes, 23 nays, 6 not voting.

Mr. Schultz moved to indefinitely postpone L. B. No. 121.

The motion prevailed.

LEGISLATIVE BILL NO. 76. Placed at the foot of General File.

LEGISLATIVE BILL NO. 33. Mimeographed copy with Standing Committee amendments read and considered.

General File amendments offered by Mr. Miller:

1. To amend Sec. 3, Part 2, to read "The price differential shall not be less than two cents per pound between first grade cream and second grade cream".

2. To strike paragraph 9 of Section 3.

Laid over.

Adjournment for Spring Vacation

Mr. President: I move that we adjourn on Wednesday, March 1st, until 10:00 a. m. Monday, March 6th. (Signed) Diers.

A call of the House was ordered.

The call was raised.

Vote was taken and the motion prevailed with 30 ayes, 6 nays, 7 not voting.

Members Excused

Mr. Thomas and Mr. Doyle were excused at 10:30 for the remainder of the day.

Mr. Hall was excused from the session on Wednesday the 22nd.

Adjournment

At 12:08 p. m. on motion by Mr. Herrick the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

THIRTY-SEVENTH DAY

Legislative Chamber,
Lincoln, Nebraska, February 22, 1939.

The Legislature met at 9:10 a. m., President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Hall who was excused.

The Journal for the Thirty-sixth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Lambert, one, opposing any additional game reserve and additional license fees in the Game, Forestation and Parks Commission; Mr. Sorrell, one, opposing L. B. No. 137 and one opposing L. B. No. 189; all members, one, opposing L. B. No. 189.

NOTICE OF COMMITTEE HEARINGS

Appropriations

L. B. No. 100, Monday, February 27, 2:00 p. m. (Rehearing).

Claims and Deficiencies

L. B. No. 420, Monday, February 27, 1939, 2:00 p. m.

Revenue

L. B. No. 207, Tuesday, February 28, 1939, 2:00 p. m.

L. B. No. 219, Tuesday, February 28, 1939, 2:00 p. m.

L. B. No. 237, Tuesday, February 28, 1939, 2:00 p. m.

L. B. No. 125, Tuesday, March 7, 1939, 2:00 p. m.

L. B. No. 486, Tuesday, March 7, 1939, 2:00 p. m.

L. B. No. 487, Tuesday, March 7, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL NO. 47. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 47.

1. Amend the original bill, page 3, Section 2, line 12 (the printed bill, page 2, Section 2, line 10) by striking "**not**" therein and by inserting in lieu thereof the word "not".

2. Amend the original bill, page 3, Section 2, line 13 (the printed bill, page 2, Section 2, lines 10 and 11) by striking the punctuation "." after the word "grain" therein and by inserting in lieu thereof the punctuation ":"; and commencing with the punctuation and word "**, the**" in line 13 of said Section 2 of the original bill (line 11 of said Section 2 of the printed bill) strike that part of said section down to and including the word and punctuation "**further,**" in line 16 of said Section 2 of the original bill (line 13 of said Section 2 of the printed bill).

3. Amend the original bill, page 3, Section 1, line 47 (the printed bill, page 2, Section 1, line 37) by inserting after the word and punctuation "mortgages;" therein the word "**provided**".

4. Amend the original bill, page 3, Section 2, line 8 (the printed bill, page 2, Section 2, line 7) by inserting the figures "**47**" after the abbreviation and punctuation "**No.**" therein.

LEGISLATIVE BILL NO. 151. Indefinitely postponed.

(Signed) Thomas, Chairman.

Appropriations

LEGISLATIVE BILL NO. 488. Placed on General File.

LEGISLATIVE BILL NO. 489. Placed on General File.

(Signed) Brady, Chairman.

Banking, Commerce and Insurance

LEGISLATIVE BILL NO. 304. Placed on General File.

LEGISLATIVE BILL NO. 79. Placed on General File.

LEGISLATIVE BILL NO. 146. Indefinitely postponed.

LEGISLATIVE BILL NO. 280. Indefinitely postponed.

(Signed) Hall, Chairman.

Education

LEGISLATIVE BILL NO. 41. Placed on General File.

LEGISLATIVE BILL NO. 140. Placed on General File.

LEGISLATIVE BILL NO. 107. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 107:

1. Amend the original bill, page 1, title, line 6, (the printed bill, page 1, title, line 4), by inserting after the words "corporate surety" and before the punctuation ";" , the following: "or two or more resident freeholders".

2. Amend the original bill, page 1, title, line 7, (the printed bill, page 1, title, line 5), by inserting after the word "premiums" and before the word "on" the following: ", if any, ".

3. Amend the original bill, page 2, section 1, line 14, (the printed bill, page 1, section 1, line 11), by inserting the following after the words "corporate surety" and before the word "authorized": "or two or more resident freeholders".

4. Amend the original bill, page 2, section 1, line 17, (the printed bill, page 1, section 1, line 14), by inserting the following after the word "premium" and before the word "for", ", if any,".

5. Amend the original bill, page 2, section 2, line 9, (the printed bill, page 2, section 2, line 8), by inserting the following after the words "corporate surety" and before the word "authorized", "or two or more resident freeholders".

6. Amend the original bill, page 2, section 2, line 13, (the printed bill, page 2, section 2, line 11), by inserting the following after the word "premium" and before the word "for", ", if any,".

7. Amend the original bill, page 3, section 3, line 4, (the printed bill, page 2, section 3, line 3), by inserting the following after the word "corporate" and before the word "surety", "or other".

8. Amend the printed bill, page 2, section 3, line 12, by striking the letters "th" which immediately follow the words "construed to interfere with" and which are before the word "liabilities", and insert in lieu thereof the word "the".

(Signed) Schultz, Chairman.

Labor and Public Welfare

LEGISLATIVE BILL NO. 44. Placed on General File.

(Signed) Dunn, Chairman.

Government

LEGISLATIVE BILL NO. 134. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 134:

1. Amend the printed bill, page 1, Section 1, line 8, by inserting after the word "guard" therein the following:

": **Provided,** no expense shall be incurred for the maintenance of such headquarters without the approval of the Governor".

2. Amend the printed bill, page 2, Section 1, line 13 by inserting after the word and punctuation "state," therein the following:

"or unable to act,".

3. Amend the printed bill, page 2, Section 1, line 14 by striking therefrom the word "may" and by inserting in lieu thereof the word "shall".

4. Amend the printed bill, page 2, Section 1, line 15 by striking therefrom the word "line".

5. Amend the printed bill, page 2, Section 1, line 16 by striking the first punctuation "," after the word "duties" therein and by inserting in lieu thereof the following:

": **Provided,** such officer is a graduate of the course provided for national guard officers at the Command and General Staff School of Fort Leavenworth, Kansas or has completed the correspondence courses offered by such school; **and provided further,**".

6. Amend the printed bill, page 2, Section 1, line 17 by striking the punctuation "." after the word "general" therein and by inserting in lieu thereof the following:

", and shall be designated the commanding officer.".

7. Amend the printed bill, page 2, Section 1, line 41 by inserting after the word and punctuation "duties." therein the following:

"g. Submit recommendations together with those of the unit commanders to the Governor, for all appointments of commissioned officers in the guard."

8. Amend the printed bill, page 2, Section 1, line 44 by inserting after the word "duty" therein the following:

"or on special duty by command of the Governor,".

9. Amend the printed bill, page 3, Section 3, line 7 by striking therefrom the word **"perofrmance"** therein and by inserting in lieu thereof the word **"performance"**.

10. Amend the printed bill, page 3, Section 3, line 9 by striking the article **"a"** before the word **"board"** therein and by inserting in lieu thereof the following: **"an efficiency"**; and in line 10 of said Section 3 strike the words **"of examination"**.

11. Amend the printed bill, page 3, Section 3, line 12 by inserting after the word and punctuation **"qualifications."** therein the following:

"Such officer shall be entitled to the benefit of counsel in such proceedings.".

12. Amend the printed bill, page 3, Section 3, line 23, by striking the article **"a"** therein and by inserting in lieu thereof the words **"an efficiency"**; and in lines 23 and 24 of said section strike the words **"of examination"** therein.

13. Amend the printed bill, page 4, Section 4, line 9 by striking therefrom the words **"in the adjutant general's department"**; and in line 10 of said section strike therefrom the word **"holds"** and insert in lieu thereof the words **"is entitled to hold"**.

(Signed) Von Seggern, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 164. Correctly enrolled.

(Signed) Craven, Chairman.

President Signs

While the Legislature was in session and capable of transacting business the President signed:

LEGISLATIVE BILL NO. 164.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 12. By Amos Thomas of Douglas,
W. H. Diers of York.

WHEREAS, a motion picture entitled "Union Pacific" has been produced, and,

WHEREAS, this motion picture is a drama depicting not only the building of the Union Pacific railroad but of the entire west, in which our own great state played such an important part, and,

WHEREAS, the city of Omaha, in Nebraska, has been chosen as the city in which the world premiere of this picture will be shown, and,

WHEREAS, all civic, business, church, school and labor interests in Nebraska are joining forces to make this premiere and its attendant celebrations the most outstanding in history for the purpose of obtaining nation-wide recognition for the State of Nebraska, and,

WHEREAS, this premiere showing and attendant activities will focus nation-wide attention upon our state and attract thousands of visitors during the three-day period of its showing,

THEREFORE, BE IT RESOLVED that the unicameral legislature of the State of Nebraska call upon every citizen of the State of Nebraska to lend support to the civic-minded organizations in their tribute to the building and growth of the great middle west, and in their efforts, to better acquaint the American public with the part played by Nebraska in the building of the West.

Special Order of Business

By unanimous consent Mr. Miller offered the following as

AMENDED RESOLUTION NO. 7

For Investigation and Examination of the Department of Insurance and the Bureau of Securities

Preamble

WHEREAS, this Legislature has no concrete evidence before it as to the precise condition of the Department of Insurance and Bureau of Securities of the State of Nebraska, and

WHEREAS, precise information concerning the past and present administration of said Department of Insurance and Bureau of Securities is necessary, if this Legislature shall intelligently pass upon bills now before it for consideration or bills requested for presentation to this Legislature all touching the field of insurance and securities, and

WHEREAS, it appears that various court decisions have been rendered in the courts of the State of Nebraska indicating irregularities in the conduct of a few insurance and investment companies under the supervision of these Departments; that interests of policyholders in these companies and their beneficiaries doing business in the State of Nebraska have not been properly safe-guarded by existing laws; and that a revision of the insurance and investment laws of the state should be considered; and

WHEREAS, many conflicting statements have been made with respect to the administration of the affairs of the Department of Insurance and the Bureau of Securities of the State of Nebraska and of a few companies doing business in the State of Nebraska and their relation to the Department of Insurance and the Bureau of Securities, and

WHEREAS, in fairness to those public officials and public employees connected with said Department of Insurance and bureau of Securities and of the citizens and taxpayers of the State of Nebraska, there should be an official finding of the facts with a complete investigation by the Legislature at this time concerning the conduct and administration of said Department of Insurance and Bureau of Securities, NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED.

1. That the Committee on Committees forthwith appoint a committee of five (5) members from the body of this Legislature, one of whom shall be chairman, which committee shall be known and designated as "The Legislative Insurance Investigation Committee," which committee shall proceed to investigate and examine into the business and affairs of the insurance and investment companies doing business in the State of Nebraska and of the Department of Insurance and the Bureau of Securities. That the said committee shall have full power and authority, and it shall be its duty to prosecute its inquiries in any and every direction and by any and every means in its judgment necessary or proper to enable it to obtain information in regard to their report on matters contemplated in this resolution. That said committee be and hereby is authorized and empowered to require and enforce the attendance of witnesses, and the production of books and papers, to administer oaths, and to employ counsel, stenographers, clerks and such other means as may be necessary for the purpose of investigation; that, whenever in its judgment the public interest demands, the committee

may require any public officer, deputy, assistant or any public employee paid directly or indirectly by means of public funds, or any individual, to testify before them and to produce books, papers or other documents in obedience to the subpoena of said committee. The investigation may include the relation of the officers to their companies and investments, the relation of such companies to subsidiary corporations, transfers of surplus funds from participating life insurance business to non-participating life insurance in companies writing both participating and non-participating business, transfers and mergers of insurance and securities companies, the activity of agents, promoters, and brokers in the fields of buying and selling insurance, as to how and why these mergers and transfers occurred, the income of the Director of Insurance and his employees other than their salaries and to the regularity of all books, papers or matters now before said Departments, or heretofore disposed of by said Department of Insurance or Bureau of Securities, and any other phases of the insurance business deemed by "The Legislative Insurance Investigation Committee" to be proper, for the purpose of drafting bills and reporting to this session of the Legislature on or before the seventieth legislative day. And if such an investigation indicates that a further study of the laws regulating and relating to insurance and securities in the State of Nebraska is needed to overcome any conditions, practices or policies found to exist, then such a study and investigation may continue by order of the Legislature under the conditions and terms of this resolution and "The Legislative Insurance Investigation Committee" shall present a detailed report to the 1941 Legislature. This report shall include recommendations and proposed bills with recodification of laws if necessary to be enacted into law which will correct the present defects of the law in the Department of Insurance and the Bureau of Securities, if any.

3. That the sum of 2,000.00 dollars, or so much thereof as may be necessary, is hereby made available for the use of said committee out of the unexpended balance, identified by Acct. No. 212 in the office of the Auditor of Public Accounts, arising out of appropriation heretofore made in Section 44, Chapter 193, Session Laws of Nebraska, 1937, for salaries, maintenance and expenses of the Insurance Department and Bureau of Securities, field investigation and litigation, all filing fees, registration of agents and miscellaneous fees and unexpended balance, estimated, if and when said sum is specifically reappropriated to the uses and purposes of said investigation committee by the Fifty-third Session, Nebraska State Legislature, 1939.

MOTION—To Adopt Amended Resolution No. 7

Mr. President: I move that the Amended Resolution No. 7, as offered, be adopted. (Signed) Miller.

MOTION—To Amend

Mr. President: I move to amend the Amended Resolution No. 7, page 2, section 1, line 2, by inserting after the comma the words "with the Lieutenant Governor as ex officio member, and". (Signed) Brady.

The motion prevailed.

MOTION—To Amend

Mr. President: I move to amend the Amended Resolution No. 7, page 3, paragraph 3, line one, after the words "sum of" insert "not to exceed". (Signed) Miller.

The motion prevailed.

Vote was taken on Mr. Miller's motion to adopt Amended Resolution No. 7 and the motion prevailed with 38 ayes, 4 nays, 1 not voting.

MOTION—To Adopt Resolution No. 7 as Amended

Mr. President: I move that Resolution No. 7 be adopted as amended. (Signed) Mueller.

A record vote was requested.

Voting in the affirmative, 38:

Adams, E. A.
Ashmore
Brady
Brodecky
Callan
Carsten
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 4:

Adams, J. Jr.
Carlson
Craven
Reavis

Not voting, 1: Hall.

The Chair declared Resolution No. 7 as amended adopted.

Explanation of Vote

Mr. President: I vote no for the reason that this resolution will not accomplish the purpose. (Signed) John Adams, Jr.

Mr. President: I feel that Resolution No. 7 is useless because of the limited length of time given the Committee to make a report. I further think the members of this body are so busy that they will be unable to give the necessary time to this matter in order to make an intelligent report. (Signed) Reavis.

Mr. President: I vote "no" on this resolution for the reason that it will not accomplish the purpose for which it is designed.(Signed) Craven.

L. B. No. 422 Rereferred

By unanimous consent L. B. No. 422 was rereferred from Committee on Revenue to Committee on Public Health and Miscellaneous subjects.

At 10:45 a. m. the Legislature was at ease for fifteen minutes.

WASHINGTON MEMORIAL PROGRAM

At 11:00 a. m. the following program, arranged by the Chaplain, was rendered, commemorating the birth of George Washington.

LEGISLATIVE RESOLUTION NO. 13

Offered by George I. Craven of Lancaster.

Commemorating the Two Hundred and Seventh Anniversary of the Birthday of George Washington

WHEREAS, the United States of America is today celebrating the Two Hundred and Seventh anniversary of the birthday of that exalted Patriot, Christian Statesman, and true American, George Washington, and,

WHEREAS, we recognize that his example has been an inspiration to patriots and to the friends of liberty and equality of political opportunity throughout the world, and, WHEREAS, in civil as in military life he was preeminent among his contemporaries for the clearness and soundness of his judgment, for his perfect moderation and self control, for the quiet dignity and the indomitable firmness with which he pursued every path which he had deliberately chosen. He was in the highest sense of the words a gentleman and a man of honor, and he carried into public life the severest standard of private morals, and

WHEREAS, Chief Justice Marshall said of Washington: "More than any other individual, and as much as to one individual was possible, has he contributed to found this, our widespreading empire, and to give to the Western World independence and freedom", NOW, THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

That we, whose heritage embodies unparalleled blessings and vast responsibilities as a body of lawmakers, do hereby solemnly promise to faithfully and devotedly discharge the duties of our high office and in the spirit of the Father of our Country, resolutely and fearlessly share our mutual cares, labors and dangers.

The resolution was adopted unanimously.

Violin Solo	Emil E. Brodecky
Band Selection	School District No. 99, Lancaster County
Accompanist	Helen Jones
Address: "George Washington"	George B. Gross.

SELECT FILE

LEGISLATIVE BILL NO. 66.

E and R amendments as found in the Legislative Journal for the Thirty-sixth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 30.

E and R amendments as found in the Legislative Journal for the Thirty-sixth Day were adopted.

Referred to E and R for engrossment.

GENERAL FILE

John Adams, Jr., presiding.

LEGISLATIVE BILL NO. 33.

Amendments offered by Mr. Miller on the Thirty-sixth day were withdrawn.

Mr. Schultz offered the following amendment:

In subsection (2) of Sec. 3 strike the words "nor greater than two" and strike the letter "s" from cents, of the mimeographed bill.

Mr. Garber offered the following substitute amendment:

That the entire subsection (2) of Sec. 3 be stricken from the bill No. 33.

The substitute amendment was adopted with 23 ayes, 12 nays, 8 not voting and Mr. Schultz' amendment was lost.

Mr. Schultz moved that subsections (8) and (9) of Sec. 3 be stricken.

The motion prevailed.

Referred to E and R for review.

Adjournment

At 12:30 p. m. on motion by Mr. Lambert the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

THIRTY-EIGHTH DAY

Legislative Chamber,
Lincoln, Nebraska, February 23, 1939.

The Legislature met at 9:11 a. m., President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Thirty-seventh Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Lambert, one, favoring L. B. No. 484 and L. B. No. 478; Mr. Sorrell, one, Mr. Schultz, as Chairman, one, favoring L. B. No. 61; all members, one, opposing L. B. No. 58; one, favoring L. B. No. 150; Mr. Johnson, one, favoring the Safety Patrol law.

Communications

Notice was read that Governor and Mrs. Cochran had postponed the "at home", scheduled for next Sunday, to a date to be announced later.

A letter of appreciation was read from Mrs. Vinette M. Fenton.

Invitation

An invitation was extended, by the Genoa Lions Club, to the members of the Legislature and their party to attend a breakfast on Sunday the twenty-sixth.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. No. 299, Monday, March 6, 1939, 2:00 p. m.

L. B. No. 300, Monday, March 6, 1939, 2:00 p. m.

L. B. No. 301, Monday, March 6, 1939, 2:00 p. m.

Public Health and Miscellaneous Subjects

L. B. No. 56, Friday, March 10, 1939, 2:00 p. m.

L. B. No. 128, Friday, March 10, 1939, 2:00 p. m.

L. B. No. 367, Friday, March 10, 1939, 2:00 p. m.

L. B. No. 368, Friday, March 10, 1939, 2:00 p. m.

L. B. No. 371, Friday, March 10, 1939, 2:00 p. m.

L. B. No. 417, Friday, March 10, 1939, 2:00 p. m.

L. B. No. 418, Friday, March 10, 1939, 2:00 p. m.

L. B. No. 469, Friday, March 10, 1939, 2:00 p. m.

L. B. No. 422, Friday, March 10, 1939, 2:00 p. m.

L. B. No. 330, Wednesday, March 15, 1939, 2:00 p. m.

L. B. No. 220, Wednesday, March 15, 1939, 2:00 p. m.

L. B. No. 303, Wednesday, March 15, 1939, 2:00 p. m.

L. B. No. 392, Friday, March 17, 1939, 2:00 p. m.

L. B. No. 444, Friday, March 17, 1939, 2:00 p. m.

L. B. No. 450, Friday, March 17, 1939, 2:00 p. m.

L. B. No. 373, Wednesday, March 22, 1939, 2:00 p. m.

L. B. No. 374, Wednesday, March 22, 1939, 2:00 p. m.

L. B. No. 402, Wednesday, March 22, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL NO. 175. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 175:

1. Amend the original bill, page 2, Section 1, line 15 (the printed bill, page 1, Section 1, line 12) by inserting after the word "infected" therein the following:

"or infected".

2. Amend the original bill, page 2, Section 2, line 9 (the printed bill, Section 2, page 2, line 7) by inserting after the last conjunction "and" therein the following:

"if said animal or animals be buried, no portion of the carcass or carcasses thereof shall be interred closer than four feet from the surface of the ground and before said carcass or carcasses are covered with earth the same shall be treated with lime in such manner as the Department shall direct; and".

LEGISLATIVE BILL NO. 344. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 344:

1. Amend the original bill, page 1, Section 1, line 7 (the printed bill, page 1, Section 1, line 5) by inserting after the word "condensed" and before the word "skimmed" therein the words "whole or".

2. Amend the original bill, page 2, Section 1, line 31, (the printed bill, page 2, Section 1, line 23) by striking the word "twelve" and by inserting in lieu thereof the word "fourteen".

3. Amend the original bill, page 3, Section 1, line 47 (the printed bill, page 2, Section 1, line 36) by inserting after the word "flavoring" and before the conjunction "and" therein the following:

", fruit acids".

4. Amend the printed bill, Section 1, line 41, page 2, by striking therefrom the word "acids" and by inserting in lieu thereof the word "solids".

5. Amend the original bill, page 3, Section 1, line 67 (the printed bill, page 2, Section 1, line 50) by inserting after the word "flavoring" and before the conjunction "and" therein the words and punctuation as follows:

", fruit acids".

6. Amend the printed bill, page 3, Section 1, line 52, by striking therefrom the word "wholesale" and by inserting in lieu thereof the word "wholesome".

7. Amend the original bill, page 4, Section 1, line 79 (the printed bill, page 3, Section 1, line 59) by inserting after the preposition "with" and before the adjective "harmless" therein the words:

"or without".

8. Amend the printed bill, page 3, Section 1, line 75 by striking therefrom the word "ingerdients" and by inserting in lieu thereof the word "ingredients".

9. Amend the original bill, page 7, Section 6, line 13 (the printed bill, page 5, Section 6, line 9) by inserting after the word "cream" therein the following:

"as defined herein".

10. Amend the original bill, page 10, Section 11, line 24 (the printed bill, page 7, Section 11, line 19) by striking therefrom "and/"; and in line 25 of said Section 11 of the original bill (line 20 of said Section 11 of the printed bill) strike the punctuation "." therein and insert in lieu thereof the following:

"not manufactured or sold in compliance with".

11. Amend the original bill, page 10, Section 11, lines 31 and 32 (the printed bill, page 7, Section 11, line 25) by inserting the figures **"344"** after the abbreviation and punctuation **"No."** therein.

12. Amend the original bill, page 10, Section 11, line 33 (the printed bill, page 7, Section 11, line 26) by striking therefrom the following:

", shall apply".

13. Amend the original bill, page 10, Section 11, line 33 (the printed bill, page 7, Section 11, line 26) by inserting immediately preceding the subsection designation "D." therein the following:

"The provisions of this Act shall not apply to ice cream manufactured in this state for sale and consumption in some other state nor to frozen desserts manufactured and sold by any religious, fraternal or other nonprofit organization or association.";

and strike that portion of Section 11 commencing with the word "The" in line 36 of the original bill (line 28 of the printed bill) down to and including the word and punctuation "state." in line 38 of the original bill (line 30 of the printed bill).

14. Amend the original bill, page 1, (the printed bill, page 1) by inserting at the conclusion of the caption "Introduced by" the following:

", John F. Doyle of Greeley".

15. Amend the original bill, page 1, title, line 8 (the printed bill, page 1, title, line 6) by striking therefrom the word "imitations" and by inserting in lieu thereof the following:

"imitation or adulterated food and drugs; establishing sanitary provisions;".

(Signed) Neubauer, Chairman.

Public Works

LEGISLATIVE BILL NO. 192. Placed on General File.

LEGISLATIVE BILL NO. 229. Indefinitely postponed.

LEGISLATIVE BILL NO. 429. Indefinitely postponed.

(Signed) Howard, Chairman.

MOTION—Not to Concur in Report

Mr. President: I move we do not concur in the Standing Committee Report on L. B. No. 429 and that it be placed on General File. (Signed) Rossiter.

After discussion at some length, Mr. Norman moved the previous question. The motion prevailed.

Vote was taken and Mr. Rossiter's motion not to concur in report prevailed.

MOTION—To Suspend Rules and Place as Special Order of the Day

Mr. President: I move the rules be suspended and that L. B. No. 429 be made the Special Order of the Day February 24, 1939, at 10:00 a. m. (Signed) Rossiter.

Substitute Motion

Mr. President: As a substitute motion, I move that L. B. No. 429 be made Special Order at 11:10 a. m. February 23. (Signed) Adams.

The motion prevailed.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL NO. 129. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 129:

1. Amend the original bill, page 1, title, line 8, (the printed bill, page 1, title, line 5), by inserting the words "sick people" between the words "idigent" and "within".

2. Amend the original bill, page 1, title, line 17, (the printed bill, page 1, title, line 10), by inserting the following after the word and punctuation "districts;" and before the words "to transfer", "to empower them to make all proper regulations affecting the subject matter of the Act; to provide a penalty for the violation of said regulations;".

3. Amend the original bill, page 1, title, line 18, (the printed bill, page 1, title, line 11) by striking therefrom the word "title" and the punctuation "," following the word "the" and prior to the word "control."

4. Amend the original bill, page 1, title, line 24, (the printed bill, page 1, title, line 14), by inserting the words "sick people" between the words "indigent" and "to".

5. Amend the original bill, page 2, title, line 27, (the printed bill, page 1, title, line 16), by striking out the word "subdivision" and inserting in lieu thereof the word "subdivisions".

6. Amend the original bill, page 2, section 1, line 1, (the printed bill, page 1, section 1, line 1), by striking out the words "The object of this Act is to permit".

7. Amend the original bill, page 2, section 1, line 3, (the printed bill, page 1, section 1, line 2), by inserting the words "are hereby empowered" after the figures "200,000" and before the words "to consolidate".

8. Amend the original bill, page 2, section 1, line 6, (the printed bill, page 1, section 1, line 4), by inserting the words "sick people" between the words "indigent" and "instead".

9. Amend the original bill, page 2, section 1, line 8, (the printed bill, page 2, section 1, line 6,) by striking out the word "also" which word follows the word and punctuation "functions;", and by inserting in lieu thereof the following: "and they are hereby empowered".

10. Amend the original bill, page 2, section 1, line 10, (the printed bill, page 2, section 1, line 8), by inserting the words "sick people" between the words "indigent" and "are".

11. Amend the original bill, page 3, section 2, line 3, (the printed bill, page 2, section 2, line 2), by striking out the word "herein" which word follows the word "as," and inserting in lieu thereof the word "hereinafter".

12. Amend the original bill, page 4, section 5, lines 5, 6, 7, 8 and 9, (the printed bill, page 2, section 5, lines 4, 5 and 6), by striking out all of section five following the words "brief description", and inserting in lieu thereof the following: "(in general language not more than one hundred words) of the proposed changes, specifying that the existing property be turned over to the health district by the creation thereof."

13. Amend the original bill, page 5, section 7, lines 3 and 4, (the printed bill, page 3, section 7, lines 2 and 3), by striking out the words " title or which has been transferred" and inserting in lieu thereof the following: "possession of which has been turned over".

14. Amend the original bill, page 5, section 7, line 9, (the printed bill, page 3, section 7, line 7), by adding the words "sick people" after the word "indigent" and before the punctuation ".".

15. Amend the original bill, page 6, section 8, line 9, (the printed bill, page 4, section 8, line 7), by striking out the words "paid only", and inserting in lieu thereof the words "reimbursed for."

16. Amend the original bill, page 7, section 11, line 2, (the printed bill, page 4, section 11, line 2), by striking out the words "all of" before the words "the power and authority" and by inserting the word "executive" after the word "the" and before the words "power and authority".

17. Amend the original bill, page 7, section 11, line 4, (the printed bill, page 4, section 11, line 3), by inserting the words "sick people" after the word "indigent" and before the punctuation ",".

18. Amend the original bill, pages 7 and 8, section 11, lines 10 to 38, (the printed bill, pages 4 and 5, section 11, lines 7 to 28), by striking out all of said section 11 after the word and punctuation "activities.", and inserting in lieu thereof the following: "All the functions now performed by any physician (except the coroner's physician and the insanity board's physician) or nurse employed by any governmental subdivision within the district, and any and all inspectors of foods, drinks and the sanitary condition of property, vest in the health district which may be created by the provisions of this Act. The management and

control of all hospitals, buildings and personal property used exclusively in the medical care and treatment of the indigent sick people, and the segregation of those persons afflicted with infections and contagious diseases, shall be in the said health district. The health district shall have the power and it shall be its duty to adopt measures for the control and eradication of preventable or communicable disease, the inculcation of modern scientific methods of hygiene and sanitation and the education of the public in matters relating to public health. Any person who shall violate any of the provisions of this act, or any rule or regulation made by the district health board, as empowered by this act, shall be deemed guilty of a misdemeanor, and when convicted shall be fined, for each offense, not less than ten dollars nor more than two hundred dollars."

19. Amend the original bill, page 9, section 12, line 11, (the printed bill, page 5, section 12, line 8), by adding the words "sick people" after the word "indigent" and before the punctuation ".".

20. Amend the original bill, page 9, section 13, line 10, (the printed bill, page 5, section 13, line 8), by inserting the words "sick people" between the words "indigent" and "recognized".

21. Amend the original bill, page 11, section 19, line 1, (the printed bill, page 7, section 19, line 1), by striking out the first four words of this section, and inserting the word "shall" after the word "Act" and striking out the word "to" before the word "vest".

22. Amend the original bill, page 12, (the printed bill, page 7), by adding thereto section 22 in the following words, phrases and punctuations: "Sec. 22. The term 'governmental subdivision' as used in this act shall be defined to mean any county, city, village, school district, metropolitan utilities district or and other subdivision of the state which receives any revenue raised by taxation."

LEGISLATIVE BILL NO. 130. Placed on General File.

LEGISLATIVE BILL NO. 131. Placed on General File.

(Signed) Miller, Chairman.

Government

LEGISLATIVE BILL NO. 290. Placed on General File.

LEGISLATIVE BILL NO. 132. Placed on General File.

LEGISLATIVE BILL NO. 241.	Indefinitely postponed.
LEGISLATIVE BILL NO. 242.	Indefinitely postponed.

(Signed) Von Seggern, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 14.	Correctly engrossed.
LEGISLATIVE BILL NO. 164.	Presented to Governor for approval February 22, 1939, 3:50 p. m.

(Signed) Craven, Chairman.

RESOLUTIONS

Speaker Diers presiding.

LEGISLATIVE RESOLUTION NO. 14. By John F. Doyle of Greeley.

Resolution Concerning Fort Hartsuff as an Historic Site for State Park or Memorial Purposes

Preamble

WHEREAS, on September 5, 1874, Fort Hartsuff was established on the north side of the Loup River, seventy-six miles from Grand Island, and abandoned on May 9, 1881, and

WHEREAS, the original tract of land on which said fort was built is located in Valley County, Nebraska, near the Garfield County line, and

WHEREAS, the buildings of said Fort Hartsuff are still in existence in a fair to poor state of repair, and

WHEREAS, said fort was built in the pioneer days as a protection against Indians, and

WHEREAS, the citizens of central Nebraska unanimously believe and through the Fort Hartsuff Committee of the Old Settlers Society in that territory have by appropriate resolution and other actions indicated that they believe and sincerely desire that the buildings of said fort should be preserved and the site retained in public hands as a memorial to the pioneers and as a reservation to help preserve the ideals of Nebraska's early settlers as a state park or other appropriate historic memorial site, and

WHEREAS, a portion of said land comprising the original site of said fort is within the limits of the North Loup River Public Power and Irrigation District, which now enables its original site to be properly landscaped for the enjoyment of the present and coming generations, and

WHEREAS, the said Fort Hartsuff Committee believe that the preservation of said fort as a public memorial, public park, public historic site or public reservation would be for the best interests of Nebraska and the entire country, and

WHEREAS, the said committee has already secured from the private owners of said original fort site, consisting of almost one section of land, an option to purchase said real estate for public purposes at any time on or prior to March 1, 1940, at sixty-five dollars per acre for the entire tract, and

WHEREAS, the said Fort Hartsuff Committee believes that the preservation of said fort is a matter of state concern, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That this Legislature considers the preservation of the historic site of Fort Hartsuff as a worthy matter of state concern.

2. That, to the end that it may be intelligently determined what aid, if any, the state of Nebraska, acting independently or in conjunction with the United States of America through a Federal grant, or otherwise, should extend to the preservation of Fort Hartsuff as an historic site, that the presiding officer of this Legislature forthwith appoint a committee of three members from the body of the Legislature to cooperate with the Fort Hartsuff Committee of the Old Settlers' Society or others interested in the matter, with instructions to report back to this Legislature such findings and recommendations as they may see fit to make for the consideration of the Fifty-third Session, Nebraska State Legislature, 1939, on or before the seventieth legislative day thereof.

LEGISLATIVE RESOLUTION NO. 5. Permitting Bordy, et al to sue State of Nebraska. Adopted.

President Johnson presiding.

MOTION—To Suspend Rules and Introduce Bill

Mr. President: I move that the rules be suspended for the introduction of a bill asking an appropriation of $2,000.00 to support Resolution No. 7 passed yesterday. (Signed) Miller.

The motion prevailed with 33 ayes, no nays, 10 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 490. By Miller of Kimball.

A bill for an Act relating to insurance; specifically to reappropriate unexpended balances in designated funds under the jurisdiction of the Department of Insurance, State of Nebraska, in the sum of and to the extent of two thousand dollars, or so much thereof as may be necessary, to the uses and purposes of The Legislative Insurance Investigation Committee, created and established by Legislative Resolution No. 7, Fifty-third Session, Nebraska State Legislature, 1939; to make said money reappropriated immediately available; and to declare an emergency.

MOTION—To Suspend Rules and Read L. B. No. 490 Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 490 be read the second time this morning. (Signed) Miller.

The motion prevailed with 32 ayes, no nays, 11 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
490	Miller	Appropriations

GENERAL FILE

Speaker Diers presiding.

LEGISLATIVE BILL NO. 139. Read and considered.

Standing Committee amendments adopted.

Referred to E and R for review.

President Johnson presiding.

Special Order of Business.

LEGISLATIVE BILL NO. 429. Read and considered.

General File amendments to L. B. No. 429 adopted:

1. Amend the printed bill, page 3, Section 2, by striking that part of said section after the word "total" in line 9 down to and including the word **"quarter"** in line 12 and by inserting in lieu thereof the following:

"amount of money expended for assistance in each county quarterly in the state of Nebraska during the second preceding quarterly period bears to the total amount of money expended for assistance in all the counties in the state of Nebraska during said second preceding quarterly period,".

2. Amend the printed bill, page 1, title, by striking that part of said title commencing with the preposition "of" in line 3, down to and including the word "quarter" in line 8 of said title, and by inserting in lieu thereof the following:

"of the State Assistance Fund on the basis of need to the several counties in the proportion which the total amount of money expended for assistance in each county quarterly in the state of Nebraska during the second preceding quarterly period bears to the total amount of money expended for assistance in all the counties in the state of Nebraska during said preceding quarterly period."

3. Add the name Sam Klaver as a cointroducer.

Referred to E and R for review.

LEGISLATIVE BILL NO. 140. Placed at head of General File.

Read and considered.

Laid over.

Message From Governor

February 23rd, 1939.

To the Legislature of Nebraska

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your Honorable Body that he has this date approved the following bill:

L. B. 164

Respectfully submitted,

(Signed) Otho K. De Vilbiss
Secretary to the Governor

Members Excused

Mr. Craven was excused at 9:30 a. m. for the remainder of the morning.

Mr. Sorrell was excused at 11:00 a. m. for the remainder of the day and Friday.

Adjournment

At 12:10 p. m. on motion by Mr. Reavis the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

THIRTY-NINTH DAY

Legislative Chamber,
Lincoln, Nebraska, February 24, 1939.

The Legislature met at 9:05 a. m., President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Sorrell who was excused.

The Journal for the Thirty-eighth Day was approved.

PETITIONS AND MEMORIALS

Speaker Diers presiding.

The following members introduced petitions from their constituents:

Mr. Ashmore, one, favoring L. B. No. 125; Mr. Diers, one, favoring L. B. No. 150; Mr. Mueller, one, favoring L. B. No. 478 and L. B. No. 150; Mr. Callan, one, favoring L. B. No. 61; Mr Howard, one, favoring L. B. No. 138 and L. B. No. 409; Mr. Hastings, one, opposing L. B. No. 390.

Invitation

An invitation was extended by Speaker Diers in behalf of the Mutual Insurance Association of Nebraska to the members of the Legislature to attend a banquet at the Lincoln Hotel on Tuesday, March 7th.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. No. 277, Thursday, March 9, 1939, 2:00 p. m.

L. B. No. 434, Thursday, March 9, 1939, 2:00 p. m.

L. B. No. 438, Thursday, March 9, 1939, 2:00 p. m.

L. B. No. 446, Thursday, March 9, 1939, 2:00 p. m.

L. B. No. 333, Thursday, March 16, 1939, 2 p. m. (Rehearing)

Appropriations

L. B. No. 490, Tuesday, February 28, 1939, 2:00 p. m.

Banking, Commerce and Insurance

L. B. No. 20, Tuesday, February 28, 1939, 2:00 p. m.

L. B. No. 21, Tuesday, February 28, 1939, 2:00 p. m.

L. B. No. 86, Tuesday, March 7, 1939, 2:00 p. m.

L. B. No. 188, Tuesday, March 7, 1939, 2:00 p. m.

Labor and Public Welfare

L. B. No. 195, Monday, March 6, 1939, 2:00 p. m.

L. B. No. 279, Monday, March 6, 1939, 2:00 p. m.

L. B. No. 445, Monday, March 6, 1939, 2:00 p. m.

L. B. No. 475, Monday, March 6, 1939, 2:00 p. m.

L. B. No. 70, Monday, March 6, 1939, 7:30 p. m.

L. B. No. 71, Monday, March 6, 1939, 7:30 p. m.

Revenue

L. B. No. 264, Thursday, March 9, 1939, 2:00 p. m.

L. B. No. 288, Thursday, March 9, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL NO. 435. Indefinitely postponed.

LEGISLATIVE BILL NO. 106. Placed on General File.

LEGISLATIVE BILL NO. 257. Placed on General File.

LEGISLATIVE BILL NO. 198. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 198:

1. Amend the original bill, page 2, Section 2, line 7 (the printed bill, page 2, Section 2, line 6) by striking the word "as" therein; and in lines 8 and 9 of said Section 2 of the original bill (lines 7 and 8 of the printed bill) strike "assignee, receiver, or trustee, either by appointment of court or under will" and insert in lieu thereof the following:

"incurred while acting in any fiduciary capacity".

(Signed) Hall, Chairman.

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL NO. 62.	Placed on General File.
LEGISLATIVE BILL NO. 92.	Placed on General File.
LEGISLATIVE BILL NO. 228.	Indefinitely postponed.
LEGISLATIVE BILL NO. 421.	Indefinitely postponed.
LEGISLATIVE BILL NO. 439.	Indefinitely postponed.
LEGISLATIVE BILL NO. 104.	Placed on General File with amendments.

(Standing Committee amendments mimeographed in lieu of printing in Journal.)

(Signed) Miller, Chairman.

Committee on Committees

Members selected to serve on the committee for the Investigation and Examination of the Department of Insurance and the Bureau of Securities, as follows:

Hugh B. Ashmore
A. L. Miller
John S. Callan
W. H. Diers
A. C. Van Diest
Lieutenant Governor Johnson

(Signed) Murphy, Chairman.

Enrollment and Review

LEGISLATIVE BLIL NO. 93. Placed on Select File with amendments.

E and R amendments to L. B. No. 93:

I. Amend the original bill, page 2, Sec. 3, line 1 (the printed bill, page 1, Sec. 3, line 1), by inserting the punctuation "," after the word "exists" and before the word "this"; and in the original bill, page 2, Sec. 3, line 3 (the printed bill, page 1, Sec. 3, line 2) by inserting the punctuation "," after the word "approval".

LEGISLATIVE BILL NO. 64. Placed on Select File with amendments.

E and R amendments to L. B. No. 64:

I. Amend the original bill, page 1, Section 1, line 21 (the printed bill, page 1, Section 1, line 1) by inserting the punctuation "," after the figures "1937", and the original bill, page 2, Section 3, line 2 (the printed bill, page 2, Sec. 3, line 2), by inserting the punctuation "," after the word "effect" and before the word "from"; and the original bill, page 2, Sec. 3, line 3 (the printed bill, page 2, Sec. 3, line 2) by inserting the punctuation "," after the word "approval"; and in the title in the original bill, page 1, line 7 (the printed bill, title, line 4) by inserting the punctuation "," after the word "debentures".

LEGISLATIVE BILL NO. 34. Placed on Select File with amendments.

E and R amendments to L. B. No. 34:

I. Amend the original bill, page 2, Section 1, line 14 (the printed bill, page 1, Section 1, line 11), by striking the word "of" following the word "all".

II. Amend the original bill, page 2, Section 1, line 31 (the printed bill, page 2, Section 1, line 22) by striking the word "the" after the word "from" and before the word "date".

LEGISLATIVE BILL NO. 138. Placed on Select File with amendments.

E and R amendments to L. B. No. 138:

I. Amend the original bill, page 1, Section 1, line 6 and page 2, Section 1, line 16 (printed bill, page 1, Section 1, lines 5 and 12) by striking the word "the" before the word "Game" and inserting in lieu thereof the word "The".

II. Amend the original bill, page 1, Section 1, line 2 (the printed bill, page 1, Section 1, line 2), by striking the words "the act", after and before the prepositions "of", and inserting in lieu thereof, the following:

"an Act"

LEGISLATIVE BILL NO. 85. Placed on Select File.

LEGISLATIVE BILL NO. 72. Placed on Select File with amendments.

E and R amendments to L. B. No. 72:

I. Amend the General File amendments, page 1, paragraph 1, line 2 by inserting the punctuation "," after the word "marathon" therein.

LEGISLATIVE BILL NO. 35. Placed on Select File with amendments.

E and R amendments to L. B. No. 35:

I. Amend the original bill, page 1, Section 1, line 3 (page 1, Section 1, line 3 of the printed bill) by striking therefrom the word "Clerk" and by inserting in lieu thereof the word **"clerk"**.

II. Amend the Legislature amendment, page 1 by striking that part of said amendment commencing with the word "If" in line 3 thereof down to and including the word and punctuation "employed." in line 10 and by inserting in lieu thereof the following:

"If the clerk of the district court thinks necessary, in counties having less than eighteen thousand inhabitants, said clerk may, with the approval of the county board, be allowed one deputy at a compensation of not to exceed one-half the amount paid the clerk of said court, and in counties having eighteen thousand or more inhabitants, said clerk may, with the approval of the county board, be allowed one deputy at a compensation equivalent to one-half the amount paid to the clerk of said court, for the time actually employed,".

III. Amend the original bill, page 2, Section 1, line 25 (page 1, Section 1, line 20 of the printed bill) by striking therefrom "; **provided, further"** and by inserting in lieu thereof the following:

": Provided"

IV. Amend the original bill, page 2, Section 1, line 31 (page 2, Section 1, line 24 of the printed bill) by inserting the punctuation "," after the word "county" and before the word "to-wit" therein.

Correctly Engrossed

L. B. No. 5	L. B. No. 52	L. B. No. 66
L. B. No. 30	L. B. No. 59	L. B. No. 77

L. B. No. 22 Correctly Reengrossed.

Corectly Enrolled

L. B. No. 9	L. B. No. 31	L. B. No. 42
L. B. No. 27	L. B. No. 39	L. B. No. 43

(Signed) Craven, Chairman.

Legislative Bills Rereferred

By unanimous consent L. B. No. 51 and L. B. No. 210 were rereferred from the Committee on Government to the Committee on Revenue.

By unanimous consent L. B. No. 413 was rereferred from the Committee on Government to the Committee on Education.

MOTION—For Hearings on Assistance Bills

Mr. President: I move that all bills pertaining to assistance be heard by committees and reported back to the Legislature not later than March 15, and be placed at head of General File. (Signed) Schultz.

The motion prevailed.

RESOLUTIONS

MOTION—To Amend

Mr. President: I offer the following amendments to Legislative Resolution No. 12, introduced on the Thirty-seventh Legislative Day, and move their adoption:

1. Amend said resolution by inserting at the conclusion thereof the following:
"Be it further resolved:

1. That the members of this Legislature give their complete approval and support to this noble, historical film and express their appreciation to all persons responsible for the production thereof.

2. That the Clerk of the Legislature be directed forthwith to forward copies of this resolution, properly authenticated and suitably engrossed, to William M. Jeffers, President of the Union Pacific Railroad and to Cecil De Mille of the Paramount Film Corporation."

(Signed) Tvrdik.

The motion prevailed.

MOTION—To Amend

Mr. President: I offer the following amendment and move its adoption:

3. Amend the list of introducers by inserting the name "Charles F. Tvrdik" at the conclusion thereof. (Signed) Thomas.

The motion prevailed.

The resolution as amended was adopted.

LEGISLATIVE RESOLUTION NO. 14. Fort Hartsuff.

Referred to Committee on Public Works.

GENERAL FILE

LEGISLATIVE BILL NO. 140. Passed over.

LEGISLATIVE BILL NO. 166. Read and considered.

General File amendment offered by Mr. Mekota adopted:

Amend L. B. No. 166 by striking out the following: "of Fifty Dollars ($50.00) per year" in line 13 and inserting in lieu thereof the following $2.00 per each meeting actually attended not exceeding 12 meetings in any one year.

Indefinitely postponed.

LEGISLATIVE BILL NO. 167. Indefinitely postponed.

Mr. Reavis presiding.

LEGISLATIVE BILL NO. 488. Placed at head of General File.

Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 68. Indefinitely postponed.

LEGISLATIVE BILL NO. 32. Motion to indefinitely postpone.

The motion lost with 19 ayes, 20 nays, 4 not voting.

Motion to refer to E and R for review.

Prevailed with 20 ayes, 18 nays, 5 not voting.

LEGISLATIVE BILL NO. 109. Read and considered.

Standing Committee amendments as mimeographed and reported on the Thirty-third Legislative Day were adopted.

Laid over.

LEGISLATIVE BILL NO. 3. Laid over.

LEGISLATIVE BILL NO. 15. Read and considered.

Standing Committee amendment No. 1, found in the Legislative Journal for the Thirty-third Day was adopted.

Amendment No. 2 considered and John Adams, Jr. moved to amend as follows:

Amend the Committee amendments to Sec. 2 of L. B. No. 15 after the words "by any county" in the last line 2 by adding the following: "; Provided, that in counties having a population of more than 150,000 no more than ten per cent of the moneys arising under this Act shall be expended for salaries and expenses of administration of such activities as provided therein by any county."

No further action taken.

Speaker Diers announced that busses will be available for the trip to Columbus at a cost of $2.00 per passenger.

Members Excused

Mr. Gross, Mr. Mischke and the Appropriations Committee were excused at 11:30 a. m.

Adjournment

At 12:05 p. m. on motion by Mr. Lambert the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FORTIETH DAY

Legislative Chamber,
Lincoln, Nebraska, February 27, 1939.

The Legislature met at 9:10 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Thirty-ninth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Hastings, one, favoring L. B. No. 61 and one opposing L. B. No. 158; Mr. Mueller, one, opposing L. B. No. 478; Mr. Sorrell, one, favoring L. B. No. 61; Mr. Rossiter, one, opposing L. B. No. 235; Omaha members, one, favoring L. B. No. 125.

Communications

A letter was read from Congressman George H. Heinke acknowledging a copy of Legislative Resolution No. 3.

A letter was read from the Workers Alliance regarding a hearing on all assistance bills.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. No. 324, Wednesday, March 8, 1939, 2:00 p. m.

L. B. No. 338, Wednesday, March 8, 1939, 2:00 p. m.

L. B. No. 410, Wednesday, March 8, 1939, 2:00 p. m.

L. B. No. 458, Wednesday, March 8, 1939, 2:00 p. m.

L. B. No. 416, Wednesday, March 8, 1939, 7:30 p. m.

L. B. No. 94, Friday, March 10, 1939, 2:00 p. m.

L. B. No. 285, Friday, March 10, 1939, 2:00 p. m.

L. B. No. 286, Friday, March 10, 1939, 2:00 p. m.

L. B. No. 302, Friday, March 10, 1939, 2:00 p. m.

L. B. No. 378, Friday, March 10, 1939, 2:00 p. m.

Judiciary

L. B. No. 182, Wednesday, March 8, 1939, 2:00 p. m.

L. B. No. 318, Wednesday, March 8, 1939, 2:00 p. m.

L. B. No. 332, Wednesday, March 8, 1939, 2:00 p. m.

L. B. No. 340, Wednesday, March 8, 1939, 2:00 p. m.

L. B. No. 437, Wednesday, March 8, 1939, 2:00 p. m.

L. B. No. 455, Wednesday, March 8, 1939, 2:00 p. m.

Labor and Public Welfare

L. B. No. 67, Monday, March 13, 1939, 2:00 p. m.

L. B. No. 159, Monday, March 13, 1939, 2:00 p. m.

L. B. No. 424, Monday, March 13, 1939, 2:00 p. m.

L. B. No. 427, Monday, March 13, 1939, 2:00 p. m.

L. B. No. 477, Monday, March 13, 1939, 2:00 p. m.

Hearing Date Changed

L. B. No. 70, Thursday, March 9, 1939, 7:30 p. m.

L. B. No. 71, Thursday, March 9, 1939, 7:30 p. m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL NO. 89. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 89:

1. Amend the original bill, pages 4 and 5, Section 2, (the printed bill, page 3, Section 2) by striking all that part of said section commencing with the word "**In**" in line 13 of said Section 2 of the original bill (line 9 of the printed bill) down to and including the word and punctuation "**both**" in line 38, page 5, Section 2 of the original bill (line 28, page 3, Section 2 of the printed bill).

2. Amend the original bill, page 5 (the printed bill, page 3) by inserting immediately after line 38, Section 2 on said page 5 (line 28, Section 2, page 3 of the printed bill) the following:

"Sec. 3. In counties having a population of more than two hundred thousand inhabitants, the county attorney and all deputy county attorneys shall devote their full time to the legal work of such county and shall not engage in the private practice of law directly or indirectly nor shall any county attorney, deputy county attorney or employee of the county attorney of any such county, directly or indirectly, refer any legal matter or litigation, civil or criminal, to any lawyer, or either directly or indirectly recommend or suggest to any person the employment of any particular attorney or attorneys to counsel in, conduct, defend or prosecute any action, case, claim, demand or legal proceeding, whether in litigation or otherwise.

Sec. 4. Any county attorney or deputy county attorney or employee of any county attorney in any county having a population of more than two hundred thousand inhabitants violating the provisions of the preceding section hereof shall be guilty of malfeasance in office and subject to removal therefrom and in addition may be punished by imprisonment in the county jail not exceeding six months or fined not exceeding five hundred dollars or both."

3. Amend the original bill, pages 5, 6, 7 and 8 (the printed bill, pages 3, 4 and 5) by renumbering Sections 3, 4 and 5 thereon to conform with the preceding amendment.

4. Amend the original bill, page 6, Section 3, line 32 (the printed bill, page 4, Section 3, lines 24 and 25) by striking therefrom the words "~~four~~ **five**" and by inserting in lieu thereof the word "four"; and in line 34 in said Section 3 of the original bill (line 25 in said Section 3 of the printed bill) by striking therefrom the words "~~monthly~~ **quarterly**" and by inserting in lieu thereof the word "monthly"; and in lines 34 and 35 in said Section 3 of the original bill (line 26 in said Section 5 of the printed bill) by striking therefrom "**at the end of each quarter; Provided,**" and by inserting in lieu thereof the following:

"**; provided,**".

5. Amend the original bill, page 8 (the printed bill, page 5) by inserting immediately after line 7, Section 5 of the original bill (line 6, Section 5 of the printed bill) a new section as follows:

"Sec. 8. If any section, subsection, sentence, clause or phrase of this Act is, for any reason, held to be unconstitutional or unauthorized or in conflict with any other section, provision, part or portion of this Act, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares it would have passed this Act and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional, unauthorized or in conflict.";

and renumber Section 6 on page 8 of the original bill (Sections 5 and 6, page 5 of the printed bill) to conform with the within amendment.

6. Amend the original bill, pages 1 and 2, title (the printed bill, page 1, title) after the word "ACT" in line 2 of the original bill (line 2 of the printed bill) and by inserting in lieu thereof the following:

> "to amend Sections 26-904 and 26-906, Compiled Statutes of Nebraska, 1929; to amend Sec. 33-111, Comp. St. Supp., 1937; to amend Section 26-909, Compiled Statutes of Nebraska, 1929, relating to county government and officers; to prescribe the number of and the compensation of deputy county attorneys; to prohibit any county attorney or deputy county attorney from receiving any fee or reward in certain cases or from being concerned as an attorney or counsel in certain cases; to require the county attorney and deputy county attorneys of any county having a population of more than two hundred thousand inhabitants to devote their full time to the legal work of such county; to prohibit the county attorney and deputy county attorneys of any such county from engaging in the private practice of law directly or indirectly; to prohibit any county attorney, deputy county attorney or employee of the county attorney of any such county from directly or indirectly referring any legal matter or litigation, civil or criminal, to any lawyer or from recommending or suggesting to any person the employment of any particular attorney or attorneys to counsel in, conduct, defend or prosecute any action, case, claim, demand or legal proceeding and to provide penalties for the violation thereof; to fix the compensation and manner of payment of county attorneys; to designate the counties in which the county attorney may employ a detective or detectives; to repeal said original sections; to repeal Section 26-911, Compiled Statutes of Nebraska, 1929; to provide a saving clause; and to declare an emergency."

LEGISLATIVE BILL NO. 372. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 372:

1. Amend the original bill, page 2, Section 1, lines 24 to 26 inclusive (the printed bill, page 2, Section 1, lines 18 to 19 inclusive) by striking therefrom:

"or the wife of a person who is the owner of a like freehold estate belonging to such person in her own right;".

2. Amend the original bill, pages 6 and 7, Section 6, lines 25, 26 and 27 (the printed bill, page 4, Section 6, lines 19 and 20) by striking therefrom the following:

"or the wives of such persons who are owners of a like freehold estate, belonging to such persons in their own right;".

3. Amend the original bill, page 18, Section 17, line 56 (the printed bill, page 13, Section 17, line 42) by inserting after the word and punctuation "**require;**" the following:

"and it shall be the duty of said board to set up a standard examination form containing such questions as to enable said board to determine the competence of any person to sit as a grand juror;".

4. Amend the original bill, page 14, Section 14, line 22 (the printed bill, page 10, Section 14, line 16) by inserting immediately after the word "**list**" and before the word "**select**" therein the following:

", in the presence of a judge in districts having less than three judges and in the presence of three judges in districts having three or more judges,".

5. Amend the original bill, page 14, Section 14 (the printed bill, page 10, Section 14) by striking that part of said section commencing with the word "**as**" in line 25 of the original bill (line 18 of the printed bill) down to and including the word and punctuation "**Nebraska.**" in line 26 of the original bill (lines 19 and 20 of the printed bill) and by inserting in lieu thereof the following:

"as amended by Section 18, Legislative Bill No. 372, Fifty-third Session, Nebraska State Legislature, 1939.".

6. Amend the original bill, page 20, Section 18, lines 16 to 18 inclusive (the printed bill, page 14, Section 18, lines 12 to 14 inclusive) by striking words and punctuation therein as follows:

"or the wife of a person who is the owner of a like freehold estate belonging to such person in her own right;".

7. Amend the original bill, page 22, Section 19, line 7 (the printed bill, page 15, Section 19, line 5) by inserting immediately before the word "**not**" therein the following:

"**the qualified electors of said county of the number of**".

8. Amend the original bill, page 22, Section 19, lines 7 to 9 inclusive (the printed bill, page 15, Section 19, lines 5 and 6) by striking therefrom words and punctuation as follows:

"**number of voters who voted for governor in the last general election.**" and by inserting in lieu thereof the following:

"**vote cast for the office of governor in said county at the last general election held therein.**".

9. Amend the original bill, page 3, Section 1, line 35 (the printed bill, page 2, Section 1, line 27) by striking the punctuation "." therein and by inserting in lieu thereof the punctuation ";".

10. Amend the printed bill, page 3, Section 4, line 13, by striking the parentheses therein.

11. Amend the printed bill, page 6, Section 10, line 20 by striking the parentheses therein.

12. Amend the printed bill, page 9, Section 13, line 5 by striking the parentheses therein.

13. Amend the printed bill, page 9, Section 13, line 6 by striking the parentheses therein.

14. Amend the printed bill, page 9, Section 14, line 6 by striking the parentheses therein; and on page 14, Section 14, lines 10 and 11 of the original bill (the printed bill, page 9, Section 14, lines 7 and 8) strike "**as amended by Legislative Bill No. , Fifty-third Session, Legislature of Nebraska**" and insert in lieu thereof the following:

"**as amended by Section 18, Legislative Bill No. 372, Fifty-third Session, Nebraska State Legislature, 1939**".

15. Amend the original bill, page 14, Section 14, line 28 (the printed bill, page 10, Section 14, line 21) by striking the punctuation "." and by inserting in lieu thereof the following:

":".

16. Amend the printed bill, page 11, Section 16, line 20 by striking the parentheses therein.

17. Amend the original bill, page 16, Section 16, line 43 (the printed bill, page 11, Section 16, line 32) by striking therefrom the punctuation and word "**; provided**" and by inserting in lieu thereof the following:

"**: Provided**".

18. Amend the original bill, page 17, Section 17, line 22 (the printed bill, page 12, section 17, line 16) by striking therefrom "**grand-jurors**" and by inserting in lieu thereof the words "**grand jurors**".

19. Amend the original bill, page 17, Section 17, line 24 (the printed bill, page 12, Section 17, line 18) by striking therefrom the punctuation "." and by inserting in lieu thereof the punctuation ":".

20. Amend the original bill, page 18, Section 17, line 37 (the printed bill, page 12, Section 17, line 28) by striking the punctuation "." and by inserting in lieu thereof the punctuation ":"; and on page 18, Section 17, line 52 of the original bill (page 13, Section 17, line 38 of the printed bill) strike the punctuation "." therein.

21. Amend the original bill, page 19, Section 17, line 80 (the printed bill, page 13, Section 17, line 60) by striking the punctuation and word "**. But**" and by inserting in lieu thereof the following:

"**; but**".

22. Amend the original bill, page 22, Section 20, line 9 (the printed bill, page 15, Section 20, line 7) by striking the punctuation "." therein and by inserting in lieu thereof the following:

":".

23. Amend the original bill, pages 22 and 23, Section 21, lines 13 and 14 (the printed bill, page 16, Section 21, line 10) by striking therefrom the punctuation and words "**. Provided, that**" and by inserting in lieu thereof the following:

"**: Provided,**".

24. Amend the original bill, page 23, Section 21, line 15 (the printed bill, page 16, Section 21, lines 11 and 12) by striking therefrom words and punctuation "**Judge or Judges of the District Court**" and by inserting in lieu thereof the following:

"**judge or judges of the district court, that**".

25. Amend the original bill, page 23, Section 21, lines 18 and 19 (the printed bill, page 16, Section 21, line 14) by inserting the punctuation "," after the words "**who**" and "**advisable**" wherever the same appear therein.

26. Amend the original bill, page 23, Section 21, line 23 (the printed bill, page 16, Section 21, line 18) by inserting the punctuation ";" after the word "**attorney**" and before the conjunction "**and**" therein.

27. Amend the original bill, page 23, Section 22, line 14 (the printed bill, page 16, Section 22, line 11) by striking the punctuation "." and by inserting in lieu thereof the punctuation ":".

28. Amend the printed bill, page 17, Section 23, lines 7 and 8 by striking all parentheses therein; and on page 24, Section 23, lines 14 and 15 of the original bill (page 17, Section 23, lines 11 and 12 of the printed bill) strike "**as amended by Legislative Bill No. , Fifty-third Session, Legislature of Nebraska,**" and by inserting in lieu thereof the following:

"**as amended by Section 1, Legislative Bill No. 372, Fifty-third Session, Nebraska State Legislature, 1939,**".

29. Amend the original bill, page 25, Section 24, line 29 (the printed bill, page 17, Section 24, line 23) by inserting after the word "**judge**" and before the preposition "**of**" therein the following:

"**or one of the district judges, as the case may be,**".

30. Amend the original bill, page 25, Section 24, line 32 (the printed bill, page 18, Section 24, line 25) by striking the punctuation "." therein and by inserting in lieu thereof the punctuation ":".

(Signed) Thomas, Chairman

Government

LEGISLATIVE BILL NO. 243. Placed on General File.

LEGISLATIVE BILL NO. 174. Placed on General File.

(Signed) Von Seggern, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 429. Placed on Select File with amendments.

E and R amendments to L. B. No. 429:

I. Amend the General File amendments, page 1, paragraph 2, line 10 by inserting after the word "said" and before the word "preceding" therein the word "second".

II. Amend the original bill, page 3, Section 1, line 54 (the printed bill, page 2, Section 1, line 42) by striking the word "rate" therein and by inserting in lieu thereof the word "rata".

III. Amend the original bill, page 4, Section 2, line 11 (the printed bill, page 3, Section 2, line 9) by striking the punctuation "," after the word "therein".

LEGISLATIVE BILL NO. 78. Placed on Select File with amendments.

E and R amendments to L. B. No. 78:

I. Amend the original bill, page 2, Section 1, line 16 (the printed bill, page 1, Section 1, line 13) by striking the word "reserves" and by inserting in lieu thereof the word "reserve".

II. Amend the original bill, page 1, line 2 of the Introduction (the printed bill, page 1, line 1 of the Introduction) by striking the word "County" after the word "Douglas".

LEGISLATIVE BILL NO. 488. Placed on Select File with amendments.

E and R amendments to L. B. No. 488:

I. Amend the original bill, page 1, title, line 3 (the printed bill, page 1, title, line 2) by striking therefrom the word "re-appropriate" and by inserting in lieu thereof the word "reappropriate".

II. Amend the original bill, page 1, title, lines 9 and 21 (the printed bill, page 1, title, lines 6 and 13)and the original bill, page 3, Section 1, lines 29, 31, 37, 49 and 58 (the printed bill, pages 2 and 3, Section 1, lines 25, 26, 31, 40 and 47) by striking therefrom the word "re-appropriated" and by inserting in lieu thereof the word "reappropriated".

III. Amend the original bill, page 1, title, line 14 (the printed bill, page 1, title, line 9), and the original bill, page 3, Section 1, line 43 (the printed bill, page 2, Section 1, lines 35 and 36) by striking therefrom the word "re-appropriation" and by inserting in lieu thereof the word "reappropriation".

IV. Amend the original bill, page 2, Section 1, line 6 (the printed bill, page 1, Section 1, line 5) by inserting the punctuation "," after the word "Supply" and before the word "Institution".

V. Amend the original bill, page 3, Section 1, line 30 (the printed bill, page 2, Section 1, line 25) by inserting the punctuation "," after the word "Control" and before the word "New" therein.

(Signed) Craven, Chairman.

President Signs

While the Legislature was in session and capable of transacting business the President signed:

L. B. No. 9
L. B. No. 27
L. B. No. 31
L. B. No. 39
L. B. No. 42
L. B. No. 43

MOTION—To Return L. B. No. 58 to Committee

Mr. President: I move that L. B. No. 58 be returned to the Committee on Government for amendments. (Signed) Dunn.

The motion prevailed.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 15. Introduced by Garber of Webster.

BE IT RESOLVED: That a Committee of five be appointed by the President to investigate the various activities of the Nebraska Safety Council and the Nebraska Vendors of Car Testing Machines and Car Repair Equipment; that this Committee be empowered to subpoena persons and records—that this committee be empowered to secure the services of an attorney, and that the costs of same not exceeding $250 be appropriated from the unexpended funds of the Drivers License Fees.

SELECT FILE

LEGISLATIVE BILL NO. 93

E and R amendments as found in the Legislative Journal for the Thirty-ninth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 64

E and R amendments as found in the Legislative Journal for the Thirty-ninth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 34

E and R amendments as found in the Legislative Journal for the Thirty-ninth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 138

E and R amendments as found in the Legislative Journal for the Thirty-ninth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 85. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 72

E and R amendments as found in the Legislative Journal for the Thirty-ninth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 35

E and R amendments as found in the Legislative Journal for the Thirty-ninth Day were adopted.

Referred to E and R for engrossment.

MOTION—To Suspend Rules and Consider Bills

Mr. President: I move that the rules be suspended and that L. B. No. 429 and L. B. No. 488 be considered on Select File at this time. (Signed) Rossiter.

The motion prevailed with 33 ayes, no nays, 10 not voting.

SELECT FILE

Mr. Ashmore presiding.

LEGISLATIVE BILL NO. 429

E and R amendments as found in this day's Legislative Journal were adopted.

Select File amendment offered by E. A. Adams and adopted:

Amend L. B. No. 429 by adding in line 6 after the word "Fund" in the printed bill and before the semicolon, the punctuation and words ", and the unexpended balance, if any, shall revert to the State Assistance Fund".

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 488

E and R amendments as found in this Day's Legislative Journal were adopted.

Referred to E and R for engrossment.

GENERAL FILE

President Johnson presiding.

LEGISLATIVE BILL NO. 140. Laid over.

LEGISLATIVE BILL NO. 109. Laid over.

LEGISLATIVE BILL NO. 3 Read and considered.

Mr. Von Seggern offered amendments to the Standing Committee amendments, which offer lost with 3 ayes, 37 nays, 3 not voting.

General File amendment offered by Mr. Ashmore, adopted:

Amend the mimeographed standing committee amendments to L. B. No. 3, Section 2, on page 2; start with subsection d, strike the balance of the Section with the exception of subsection "e" and reletter accordingly. In Section 4, page 3, after the word "unless", in line 23, strike all the new matter, down to and including "times" in line 38 and renumber accordingly.

General File amendment offered by Mr. Carlson, adopted:

Amend the Standing Committee amendment, mimeographed, page 1, Section 1, lines 8 and 9 by striking therefrom the following ", constantly and vigilantly".

General File amendment offered by Mr. Peterson, adopted:

Amend the Standing Committee amendments to L. B. No. 3 by striking the words "all constables and all other peace officers" in Section 1, page 1.

Laid over.

Mr. Ashmore presiding.

MOTION—To Recess

Mr. President: I move that we recess until 4:50 p. m. February 27, 1939. (Signed) John Adams, Jr.

The motion prevailed.

The Legislature recessed at 12:05 p. m. until 4:50 p. m.

After Recess

The Legislature reconvened at 5:07 p. m. President Johnson presiding.

The roll was called and all members were present except Mr. Callan and Mr. Lambert, and except Mr. Von Seggern who was excused for the remainder of the day and for Tuesday and Wednesday.

Communication

Assistance Payments

A letter was read from Neil C. Vandemoer, Director of Assistance regarding assistance payments and enclosing 45 copies of a statement showing per cent of administrative expense to total assistance extended by counties for the month of January, 1939.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL NO. 488. Correctly engrossed.

LEGISLATIVE BILL NO. 429. Correctly engrossed.

(Signed) Craven, Chairman.

MOTION—To Secure Statement Concerning Assistance Payments

Mr. President: I move that the Assistance Director be instructed to provide each member of this body before Wednesday morning with a statement showing average amounts paid in each county of the State for December 1938, together with a comparative showing of the amount which would have been paid if the allocation had been on a need rather than a population basis. (Signed) Mischke.

MOTION—To Amend

Mr. President: I move to amend Mr. Mischke's motion by adding the following words:

"and that the Director be instructed to furnish data as to the exact amount of money available for old age assistance during the remainder of the biennium,—how much of the original $7,500,000.00 has been spent and how much is still available for the balance of the biennium." (Signed) Van Diest.

The motion to amend was adopted.

Mr. Mischke's motion as amended was adopted.

MOTION—To Include Administrative Expense

Mr. President: I move that the report to be submitted to Legislature on Wednesday morning by State Assistance Director include complete explanations relative to per cent of administrative expense to total assistance extended by counties for January 1939. (Signed) Howard.

The motion prevailed.

Adjournment

At 5:59 p. m. on motion by Speaker Diers the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FORTY-FIRST DAY

Legislative Chamber,
Lincoln, Nebraska, February 28, 1939.

The Legislature met at 9:08 a. m., President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Mekota and Mr. Von Seggern who were excused.

The Journal for the Fortieth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Hastings, one, favoring L. B. No. 61; Mr. Schultz and Mr. Mueller, one, opposing L. B. No. 158; Mr. Neubauer, one, favoring L. B. No. 299, L. B. No. 300 and L. B. No. 301; Mr. Carsten, one, favoring L. B. No. 74 and L. B. No. 75; Mr.Von Seggern, one, opposing L. B. No. 150; Mr. Reed, one, asking a pension for farmers.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. No. 370, Friday, March 10, 1939, 2:00 p. m.

Education

L. B. No. 179, Monday, March 6, 1939, 2:00 p. m.

L. B. No. 244, Monday, March 6, 1939, 2:00 p. m.

L. B. No. 269, Monday, March 6, 1939, 2:00 p. m.

L. B. No. 413, Monday, March 6, 1939, 2:00 p. m.

L. B. No. 473, Monday, March 6, 1939, 2:00 p. m.

L. B. No. 491, Monday, March 6, 1939, 2:00 p. m.

Public Works

L. B. No. 253, Wednesday, March 8, 1939, 2:00 p. m.

L. B. No. 348, Wednesday, March 8, 1939, 2:00 p. m.

L. B. No. 331, Wednesday, March 8, 1939, 2:00 p. m.

L. B. No. 339, Wednesday, March 8, 1939, 2:00 p. m.

L. B. No. 350, Wednesday, March 8, 1939, 2:00 p. m.

L. B. No. 235, Friday, March 10, 1939, 2:00 p. m.

L. B. No. 377, Friday, March 10, 1939, 2:00 p. m.

L. B. No. 356, Friday, March 10, 1939, 2:00 p. m.

L. B. No. 168, Wednesday, March 15, 1939, 2:00 p. m.

L. B. No. 169, Wednesday, March 15, 1939, 2:00 p. m.

L. B. No. 170, Wednesday, March 15, 1939, 2:00 p. m.

L. B. No. 176, Wednesday, March 15, 1939, 2:00 p. m.

L. B. No. 275, Wednesday, March 15, 1939, 2:00 p. m.

L. B. No. 294, Wednesday, March 15, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL NO. 239. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 239:

1. Amend the original bill, page 2, Section 1, lines 25 and 26 (the printed bill, page 2, Section 1, line 19) by striking therefrom words and punctuation as follows:

"as such member,".

2. Amend the original bill, page 2, Section 1, line 27 (the printed bill, page 2, Section 1, line 20) by striking all of the remainder of said section after the word "incurred" therein and by inserting in lieu therof the following:

". For inefficiency or neglect of duty or misconduct in office, a member of an authority may be removed by the mayor, but only after he shall have been given a copy of the charges at least ten days prior to the hearing thereon and had an opportunity to be heard in person or by counsel. In the event of the removal of any member by the mayor, a record of the proceedings, together with the charges and findings thereon, shall be filed in the office of the city clerk.".

3. Amend the original bill, page 1, title (the printed bill, page 1, title) by striking that part of said title in the original bill commencing with the word "five" in line 6 therein (line 4 of the printed bill) down to and including the word and punctuation "conditions;" in line 11 of the original bill (line 7 of the printed bill) and by inserting in lieu thereof the following:

"for the appointment and removal of members of housing authorities created by said cities;".

LEGISLATIVE BILL NO. 230. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 230:

1. Amend the original bill, page 2, Section 1, line 5 (the printed bill, page 1, Section 1, line 3) by inserting after the word "clerk" therein the following:

"in all counties having a population of two hundred thousand or more inhabitants".

2. Amend the original bill, pages 6 and 7 (the printed bill, page 4) by striking all of Section 5 thereon.

3. Amend the original bill, page 7, Section 6, line 6 (the printed bill, Section 6, line 5) by inserting after the syllable "ernment" and before the punctuation "." therein the following:

", except election supplies and contracts for polling places".

4. Amend the original bill, page 9, Section 8, line 24 (the printed bill, page 6, Section 8, line 20) by inserting after the word "amount" therein the following:

"and shall appear to be so as the result of collusion between the bidders".

5. Amend the original bill, page 9, Section 8, line 36 (the printed bill, page 6, Section 8, line 30) by striking the word "treasurer" and by inserting in lieu thereof the word "clerk".

6. Amend the original bill, page 10, Section 9, line 9 (the printed bill, page 6, Section 9, line 8) by inserting after the word "contract" and before the punctuation "." therein the following:

", or the county treasurer shall have been satisfied that said purchase is one contemplated in the terms of the county budget as set up by the county board".

7. Amend the original bill, page 10, Section 10, line 15 (the printed bill, page 7, Section 10, line 13) by striking the word "section" and by inserting in lieu thereof the word "Act".

8. Renumber all sections of the original bill and the printed bill commencing with Section 6 on page 7 of the original bill (page 5 of the printed bill) so that the same will comply with the provisions of the second Standing Committee amendment herein.

(Signed) Gross, Vice Chairman.

Claims and Deficiencies

LEGISLATIVE BILL NO. 18. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 18:

1. Amend the original bill, page 1, line 2 of the title, following the dollar sign ($), (page 1, line 2 of the title in the printed bill), by adding the figures "2500".

2. Amend the original bill, page 2, the preamble, line 13, following the dollar sign ($), (page 1, the preamble, line 21 of the printed bill) by inserting the figures "2500".

3. Amend the original bill, page 2, Section 1, line 4 (page 2, Section 1, line 3 of the printed bill) following the dollar sign ($), by inserting the figures "2500".

LEGISLATIVE BILL NO. 19. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 19:

1. Amend the original bill, page 1, line 2 of the title, following the dollar sign ($), (page 1, line 2 of the title of the printed bill), by inserting the figures "1000".

2. Amend the original bill, page 2, line 14 of the preamble, following the dollar sign ($), (page 1, line 21 of the preamble of the printed bill), by inserting the figures "1000".

3. Amend the original bill, page 2, Section 1, line 3, following the dollar sign ($), (page 2, Section 1, line 3 of the printed bill, following the dollar sign), by inserting the figures "1000".

(Signed) Ernest A. Adams, Chairman.

Education

LEGISLATIVE BILL NO. 191. Placed on General File.

LEGISLATIVE BILL NO. 315. Placed on General File.

LEGISLATIVE BILL NO. 465. Placed on General File.

(Signed) Schultz, Chairman.

SELECT COMMITTEE REPORT

Group Picture

Mr. Mueller announced that owing to the absence of two members the group picture, scheduled for the 28th, could not be taken and the Legislature left it to the Chairman to make further arrangments for taking the picture.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 16. Appreciation to Columbus and Genoa.

Introduced by Carsten of Cass, Lambert of Platte, Johnson of Dodge.

Preamble

WHEREAS, the members of the Fifty-third Session, Nebraska State Legislature, 1939, were honored guests of and entertained by the Columbus Chamber of Commerce, Elks Club, Loup River Public Power District, the Isaac Walton League and the Eppley Hotels Company in

Columbus, Nebraska, on February 25, 1939, and the Genoa Lions Club and Genoa Commercial Club in Genoa, Nebraska, on the 26th day of February, 1939, and

WHEREAS, while as such guests, our hosts spared no pains to extend many kindly courtesies and much thoughtful hospitality to members of this Legislature during said visit, and

WHEREAS, the members of this body desire to express their most sincere appreciation for the entertainment and the hospitality extended,

NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That the members of this Legislature extend a vote of thanks to the Columbus Chamber of Commerce, Elks Club, Loup River Public Power District, the Isaac Walton League and the Eppley Hotels Company at Columbus, Nebraska, and to the Genoa Lions Club and Genoa Commercial Club at Genoa, Nebraska, for their thoughtfulness in providing for our entertainment and comfort during our recent visit and inspection tour.

2. That a copy of this resolution be spread at large upon the Journal of this Legislature; and that the Clerk of this Legislature be directed to forward copies of this resolution, properly authenticated and suitably engrossed, one each to the Columbus Chamber of Commerce, the Elks Club, the Loup River Public Power District, the Isaac Walton League and the Eppley Hotels Company at Columbus, Nebraska, and to the Genoa Lions Club and Genoa Commercial Club at Genoa, Nebraska.

The resolution was unanimously adopted.

Mr. Garber called up Legislative Resolution No. 15, which was considered at some length and will be referred to the proper committee.

MOTION—To Suspend Rules and Introduce Bill

Mr. President: I move that the rules be suspended to permit the introduction of a bill by the Committee on Education. (Signed) Schultz.

The motion prevailed with 36 ayes, no nays, 7 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 491. By Committee on Education.

A bill for an Act to amend Sec. 79-218, Comp. St. Supp., 1937, relating to schools; to authorize school boards in districts maintaining more than one school to close any school or schools within such district and to make provisions for education of children in another school of such district or in the school of another district subject to provisions of said section for closing the school in any district maintaining a single school; to repeal said original section; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 491 be read the second time. (Signed) Schultz.

The motion prevailed with 35 ayes, no nays, 8 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title see Bills on First Reading)

L. B. No.	Introducer	Committee Reference
491	Committee on Education	Education

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 14. (With emergency clause)

MOTION—To Suspend Rules and Amend

Mr. President: I move that the rules be suspended and that Sec. 17, page 15, line 18 of the printed bill, L. B. No. 14, be corrected by substituting the word "with" for the word"which" before the word "docket". (Signed) Craven.

The motion prevailed with 40 ayes, no nays, 3 not voting.

A bill for an Act relating to revenue; to provide for the cancellation of interest on general real property and personal taxes delinquent March 19, 1937, if payment of such taxes with interest thereon from said date is made on or before December 31, 1939; to provide for the collection of such taxes; to amend Secs. 77-1963, 14-553, 15-822, 16-702 (b), 77-1502, 77-1903, 77-1904, 77-1908, 77-1910, 77-1922, 77-1931, 77-2006, 77-2007, 77-2008, 77-2009, 77-2010, 77-2011, 77-2014, 77-2018, 77-2021, 77-2040, 77-2041, 77-2105, 77-2106, 77-2107, 77-2117, 77-2120, 77-2142, 17-567 (b), 77-1815, 77-1915, 77-2001, 77-2002, 77-2004, 77-2020, 77-2101, 77-1959, 15-812, 77-2039, and 77-1964, Comp. St. Supp., 1937; to repeal said original sections; to repeal Secs. 16-702 (a) and 17-567 (a), Comp. St. Supp., 1937; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been compiled with, the question is 'shall the bill pass with the emergency clause attached?' "

A call of the House was ordered.

The call was raised.

Voting in the affirmative, 36:

Adams, E. A.
Adams, J. Jr.
Brady
Brodecky
Carlson
Craven
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Westley

Voting in the negative, 2: Carsten Diers.

Not voting, 5:

Ashmore
Callan
Hall
Mekota
Von Seggern

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Explanation of Vote

Mr. President: I vote aye but hope that this type of emergency legislation may end and the sooner the better. (Signed) Sorrell.

Mr. President: This measure, although discriminatory and unfair to those who have heretofore paid their taxes, may continue bringing about the payment of delinquent taxes that otherwise would be uncollected. I therefore vote aye. (Signed) Tvrdik.

Mr. President: Had I been present at the time the vote was taken on L. B. No. 14 I would have voted "aye". (Signed) Hall.

LEGISLATIVE BILL NO. 5.

MOTION—To Recommit to Select File for Specific Amendment

Mr. President: I move that L. B. No. 5 be recommitted to Select File for the following specific amendments to the printed bill (final form on third reading):

Sec. 1, line 4 strike "1941" and insert "1940".

Title, line 4, strike "1941" and insert "1940".

(Signed) Thomas.

A call of the House was ordered.

The call was raised.

The motion prevailed with 20 ayes, 18 nays, 5 not voting.

Message From Governor

Tax on Liquor

February 28th, 1939.

To the Members of the Fifty-Third Session
of the Nebraska Legislature.

Gentlemen:

I respectfully request introduction of the attached bill providing for an Act to amend Sec. 53-350, Compiled Statutes Supp., 1937, relating to liquor and taxes thereon.

Respectfully submitted,

(Signed) R. L. Cochran,
Governor.

Adjournment

At 12:27 p. m. on motion by Mr. Doyle the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FORTY-SECOND DAY

Legislative Chamber,
Lincoln, Nebraska, March 1, 1939.

The Legislature met at 9:09 a. m., President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Von Seggern who was excused.

The Journal for the Forty-first Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Rossiter, one, favoring L. B. No. 61; Mr. Johnston, one opposing L. B. No. 425 and one opposing L. B. No. 335; Mr. Mischke, one, favoring L. B. No. 134; Mr. Westley, one favoring L. B. No. 152; Mr. Lambert, one, favoring L. B. No. 183; all members, one, asking careful consideration of the findings of the Planning Board.

Communications

Letters were read from Speaker W. B. Bankhead, and Congressmen Charles F. McLaughlin and Karl Stefan acknowledging receipt of a copy of Resolution No. 3 adopted by the Legislature of Nebraska on February 14.

A letter was read from Neil C. Vandemoer, Director of Assistance, enclosing 45 copies of a statement entitled "Bills pending affecting the State Assistance Program"; also one from Mr. Vandemoer enclosing 45 copies of the information requested by the Legislature on February 27th concerning Assistance Payments.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. No. 212, Tuesday, March 21, 1939, 2:00 p. m.

L. B. No. 278, Tuesday, March 21, 1939, 2:00 p. m.

L. B. No. 479, Tuesday, March 21, 1939, 2:00 p. m.

L. B. No. 481, Tuesday, March 21, 1939, 2:00 p. m.

Appropriations

L. B. No. 53, Monday, March 6, 1939, 2:00 p. m.

L. B. No. 474, Monday, March 6, 1939, 2:30 p. m.

Banking, Commerce and Insurance

L. B. No. 120, Thursday, March 9, 1939, 2:00 p. m. (Reset)

L. B. No. 436, Tuesday, March 14, 1939, 2:00 p. m. (Reset)

Claims and Deficiencies

L. B. No. 173, Monday, March 6, 1939, 2:00 p. m.

L. R. No. 8, Monday, March 6, 1939, 2:00 p. m.

Revenue

L. B. No. 263, Thursday, March 9, 1939, 2:00 p. m.

L. B. No. 51, Tuesday, March 14, 1939, 2:00 p. m.

L. B. No. 137, Tuesday, March 14, 1939, 2:00 p. m.

L. B. No. 207, Tuesday, March 14, 1939, 2:00 p. m. (continued hearing)

L. B. No. 210, Tuesday, March 14, 1939, 2:00 p. m.

L. B. No. 355, Thursday, March 16, 1939, 2:00 p. m.

L. B. No. 407, Thursday, March 16, 1939, 2:00 p. m.

L. B. No. 472, Thursday, March 16, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Appropriations

LEGISLATIVE BILL NO. 490. Placed on General File.
(Signed) Brady, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL NO. 226.	Placed on General File.
LEGISLATIVE BILL NO. 295.	Placed on General File.
LEGISLATIVE BILL NO. 20.	Indefinitely postponed.
LEGISLATIVE BILL NO. 21.	Indefinitely postponed.
LEGISLATIVE BILL NO. 217.	Indefinitely postponed. (Signed) Hall, Chairman

Revenue

LEGISLATIVE BILL NO. 237.	Indefinitely postponed. (Signed) Ashmore, Chairman

Labor and Public Welfare

LEGISLATIVE BILL NO. 443.	Indefinitely postponed.
LEGISLATIVE BILL NO. 108.	Indefinitely postponed. (Signed) Dunn, Chairman

MOTION—Not to Concur in Report

Mr. President: I move not to concur in the Committee Report to indefinitely postpone L. B. No. 108. (Signed) Howard.

After discussion Mr. Dunn moved the previous question.

The motion prevailed.

Vote was taken and Mr. Howard's motion prevailed with 37 ayes, 2 nays, 4 not voting.

L. B. No. 108 placed on General File.

Government

LEGISLATIVE BILL NO. 134. Supplemental Report.

The following amendments were omitted from the former report:

Standing Committee amendments to L. B. No. 134:

14. Amend the printed bill, page 12, by inserting immediately after line 10, Section 19 thereon the following:

"Sec. 20. That Sec. 55-110, Comp. St. Supp., 1937, be amended to read as follows:

55-110. The Nebraska national guard shall consist of the regularly enlisted men between the ages of eighteen and forty-five years, organized, armed and equipped as hereinafter provided, and of commissioned officers between the ages of twenty-one and sixty-four years, ~~with the exception of the adjutant-general who may retain a state commission until seventy years of age~~. The number of officers and enlisted men of the national guard shall be determined from time to time and organized so as to at least meet the minimum requirements of the United States for national guard organizations allotted to this state.

Sec. 21. That Sec. 55-114, Comp. St. Supp., 1937, be amended to read as follows:

55-114. The number and grade of officers and enlisted men shall be as prescribed by the United States, but in case of war, invasion, insurrection, riot, or imminent danger, or either, the governor may temporarily increase to meet such emergencies. All officers shall hold their commissions until they shall have reached the age of sixty-four years, ~~with the exception of the adjutant-general who may retain a state commission until seventy years of age~~, unless retired prior to that time by reason of resignation, disability, or for cause to be determined by a court martial, regularly convened for that purpose, and vacancies among officers shall be filled by appointment subject to such regulations relating thereto as now or may hereafter be promulgated by the United States government.

Sec. 22. That Sec. 55-140, Comp. St. Supp., 1937, be amended to read as follows:

55-140. Staff officers including officers of the pay, inspection, subsistence, medical and adjutant general's department, shall have had previous military experience, the adjutant general's department to be such as is defined in Section 55-125, Compiled Statutes of Nebraska, 1929, **as amended by Section 5 of this Act,** and shall hold their positions until they have reached the age of sixty-four years, ~~with the exception of the adjutant-general who shall hold his position until he has reached the age of seventy years~~, unless retired prior to that time by reason of resignation, disability, or for cause to be determined by a court martial legally convened, for that purpose, and that vacancies among said officers shall be filled by appointment of the commander-in-chief of the national guard from the officers of the militia as provided in this ~~act~~ **Act.** All commissioned officers are entitled to an honorable discharge in writing at the expiration of their terms of office, on properly accounting for all property for which they are responsible. All enlisted men who have served the required number of years are entitled to an honorable discharge in writing.

Sec. 23. That Sec. 55-302, Comp. St. Supp., 1937, be amended to read as follows:

55-302. The moneys herein specifically appropriated shall be immediately avaliable and shall be expended under the immediate supervision of the ~~Adjutant-General~~ **adjutant general** of the state, **with the approval of the commanding general,** under the general direction of the ~~Governor~~ **governor.** The ~~Adjutant-General~~ **adjutant general,** with the advice and consent of the **commanding general and the** ~~Governor~~ **governor,** shall select what seems to them to be the most desirable airport for said base in the State of Nebraska, said airport to be capable of offering the required war department facilities at an economic rental for a two year period, said annual rental not to exceed the sum of Five Thousand Dollars ($5,000.00); and the ~~Adjutant General~~ **adjutant general,** with the advice and consent of **the commanding general and** the ~~Governor~~ **governor,** shall enter into a contract with the responsible parties controlling said airport base for furnishing the base, its equipment and facilities necessary to carry on aerial squadron activities for the Nebraska National Guard. The Attorney General shall prepare said contract to the end that the interests of the Nebraska National Guard of the State of Nebraska are amply protected.

Sec. 24. That Sec. 55-303, Comp. St. Supp., 1937, be amended to read as follows:

55-303. There is hereby created in the state treasury a fund to be known as the Nebraska National Guard Aerial Squadron Fund to which the State Treasurer shall credit forthwith the amount herein specifically appropriated. Upon presentation of proper vouchers, ~~signed by the Adjutant-General and approved by the Governor~~ **as provided in Section 18 of this Act,** the Auditor of Public Accounts shall draw his warrants on the said fund for the purposes herein set forth and, upon the same being presented to the Treasurer, he shall countersign and pay the same out of, but never in excess of, the appropriation herein made."

15. Amend the printed bill, page 12, Section 20, line 4 by inserting after the word and punctuation "repealed;" therein the following:

"that said original Secs. 55-110, 55-114, 55-140, 55-302 and 55-303, Comp. St. Supp., 1937, are hereby repealed;".

16. Amend the printed bill, page 12, Sections 20 and 21 by renumbering said sections to comply with the foregoing amendment.

17. Amend the printed bill, page 1, title, line 4, by inserting after the figures "1929" therein the following:

"; to amend Secs. 55-110, 55-114, 55-140, 55-302 and 55-303, Comp. St. Supp., 1937".

18. Amend the original bill, page 9, Section 5, lines 99 and 100 (the printed bill, page 6, Section 5, lines 73 and 74) by striking there-

from "**upon recommendation of the commanding general**"; and on page 11, Section 5, lines 151 and 152 of the original bill (the printed bill, page 7, Section 5, lines 113 and 114), strike "**upon the recommendation of the commanding general**".

19. Amend the original bill, page 10, Section 5, line 108 (the printed bill, page 6, Section 5, line 81) by inserting after the word "**reside**" therein the following:

"**and have his office**".

(Signed) Gross, Vice Chairman

Agriculture

LEGISLATIVE BILL NO. 204. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 204:

1. Amend the original bill, pages 1 and 2 by striking all of Sections 1 to 8 inclusive, thereon (the printed bill, pages 1 to 3 inclusive) and by inserting in lieu thereof the following:

"Section 1. For the purpose of this Act: (1) The term **commercial hatchery** shall be construed to mean a place where chicks are hatched for the purpose of resale or where chicks are hatched for hire. (2) The term **commercial chicks** shall be construed to mean any domestic fowl produced in a commercial hatchery, under the age of six weeks or not to exceed one pound in weight, and which are offered for resale by the hatchery or owner of chicks.

Sec. 2. When commercial chicks are offered for sale or sold at public auction, each box, crate, coop, or other container, shall be labeled with the sworn statement of the owner offering such chicks for sale at public auction, designating the number of live chicks in each such container, breed and variety, the date on which such chicks were hatched, and the name and location of the commercial hatchery where hatched, whether such chicks were sexed or unsexed, and if sexed such sworn statement shall designate whether the contents are cockerel chicks or pullet chicks, and any other representation made at or prior to the time of the sale relative to the breed and variety and such tests as shall have been made on the parent stock for pullorum disease.

Sec. 3. The owner of commercial chicks desiring to sell them at public auction shall furnish to the person who conducts the sale a duplicate of the sworn statement required by Section 2 of this Act, which shall be retained by the person conducting the sale. When such copy of the sworn statement has been furnished to him, the person conducting the sale shall be relieved from any responsibility or liability concerning incorrect or false statements made in regard to such commercial chicks.

Sec. 4. Any person, firm, copartnership or corporation who shall violate any of the provisions of this Act shall be guilty of misdemeanor and upon conviction shall be fined in a sum not to exceed one hundred dollars for the first offense and not to exceed two hundred dollars for the second and any subsequent offense.

Sec. 5. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval according to law.".

2. Amend the original bill, page 1, title (the printed bill, page 1, title) by striking all of said title after the word "ACT" in line 2 and by inserting in lieu thereof the following:

"relating to sale of commercial chicks at public auction; to define the terms used in this Act; to require that there be placed on all containers of commercial chicks, offered for sale at public auction, a sworn statement describing the chicks contained therein; to provide that the auctioneer shall be relieved of liability when sworn statement is made; to provide penalty for violation thereof; and to declare an emergency.".

(Signed) Neubauer, Chairman

Enrollment and Review

LEGISLATIVE BILL NO. 32. Placed on Select File.

LEGISLATIVE BILL NO. 11. Placed on Select File with amendments.

E and R amendments to L. B. No. 11:

I. Amend the original bill, title, line 3 (the printed bill, title, line 3) by striking the word "decedent" and by inserting in lieu thereof the word "decedents' ".

II. Amend the original bill, page 1, Section 1, line 8 (the printed bill, page 1, Section 1, line 7) by striking the punctuation "," therein.

III. Amend the General File amendments, page 1, by striking all of said amendment commencing with the word "In" in line 3 therein down to and including the word and punctuation "duty." in line 14 therein and by inserting in lieu thereof the following:

"in such amounts as the judge of probate shall deem just and equitable upon consideration of the nature and value of the services rendered, and the commissions of administrators shall be determined

in the same manner, but the fees so fixed by said county judge shall not exceed the following amounts: For the first one thousand dollars at the rate of five per cent; for all above that sum and not exceeding five thousand dollars at the rate of two and one-half per cent; and for all above five thousand dollars, at the rate of one per cent; and in all cases such further allowances may be made as the ~~judge of probate~~ **county judge** shall deem just and reasonable for any extraordinary services not required of ~~an~~ **any** executor or administrator in the common course of his duty.".

LEGISLATIVE BILL NO. 139. Placed on Select File with amendments.

E and R amendments to L. B. No. 139:

I. Amend the Standing Committee amendments, page 1, paragraph 2, line 2 by striking the first conjunction "and" therein and by inserting after the figures "62" therein the following:

"and 63"

II. Amend the Standing Committee amendments, page 1, paragraph 3, line 1, by striking the figures "69" and by inserting in lieu thereof the figures "70".

III. Amend the Standing Committee amendments, page 1, paragraph 4, line 1, by striking therefrom the figures "74" and by inserting in lieu thereof the figures "75".

IV. Amend the Standing Committee amendments, page 1, paragraph 1, by striking all of that part of said paragraph beginning with the word "Arithmetic" in line 7 therein and by inserting in lieu thereof the following:

"Arithmetic, agriculture and geography, history and civics, physiology and hygiene, grammar, reading, spelling and penmanship."

V. Amend the Standing Committee amendments, page 1, paragraph 2 by striking all of said paragraph commencing with the word "Agriculture" in line 6 therein and by inserting in lieu thereof the following:

"Agriculture and geography as one examination subject, history and civics as one examination subject, physiology and hygiene as one examination subject, arithmetic, grammar, spelling, reading and penmanship, which latter examination subject shall be graded on the basis of the penmanship in the former examination subject papers,".

VI. Amend the Standing Committee amendments, page 1, paragraph 3 by striking all of said paragraph commencing with the word "or" in line 6 therein and by inserting in lieu thereof the following:

", or who, while residing in a rural school district completes the work of the first eight grades in a district maintaining an accredited high school,".

VII. Amend the Standing Committee amendments, page 1, paragraph 4, line 4, by striking therefrom: "of his former residence" and by inserting in lieu thereof the words **"of his former residence".**

VIII. Amend the Standing Committee amendments, page 1, paragraph 5, line 3 by striking therefrom the word "by" and by inserting in lieu thereof the word **"by".**

IX. Amend the original bill, page 6, Section 3, line 2 (the printed bill, page 4, Section 3, line 2) by inserting after the word and punctuation "repealed;" and before the word "that" therein the conjunction "and".

X. Amend the original bill, page 3, Section 1, line 59 (the printed bill, page 2, Section 1, line 47) by striking the figures "75%", and insert the following; in lieu thereof:

"seventy-five per cent"

XI. Amend the original bill, page 3, Section 1, line 60 (the printed bill, page 2, Section 1, line 48) by striking the punctuation ";" after the word "viz" and inserting the punctuation ":" in lieu thereof; and insert the punctuation "." before said word "viz".

XII. Amend the original bill, page 5, Section 1, line 117 by striking the word "be" after the word "may" and before the word "the" and inserting the word "by" in lieu thereof.

XIII. Amend the original bill, page 5, Section 1, line 118 (the printed bill, page 4, Section 1, line 93) by striking the words "County Superintendent" and by inserting in lieu thereof, the following:

"county superintendent"

XIV. Amend the original bill, page 5, Section 1, line 117 (the printed bill, page 4, Section 1, line 93) by striking the word "the" after the word "by" and before the word "University" and inserting the word **"The"** in lieu thereof.

XV. Amend the original bill, page 6, Section 2, line 19 (the printed bill, page 4, Section 2, line 16) by inserting the punctuation **","** after the word "grades" and before the word "normal".

LEGISLATIVE BILL NO. 40. Correctly engrossed.

Presented to Governor for Approval

February 28, 1939 at 3:15 p. m.

L. B. No. 42
L. B. No. 39
L. B. No. 31
L. B. No. 27
L. B. No. 43
L. B. No. 9

(Signed) Craven, Chairman

MOTION—To Recomit L. B. No. 33 to General File

Mr. President: I move that L. B. No. 33 be returned to the head of General File for amendment. (Signed) Dunn

The motion prevailed.

RESOLUTIONS

Legislative Resolution No. 15 was referred to the Committee on Public Works.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 492. By Brady of Holt (Requested by Governor)

A bill for an Act to amend Sec. 53-350, Comp. St. Supp., 1937, relating to liquor; to direct the uses and purposes to which the net proceeds arising out of gallonage tax to be paid on the manufacture of and the distribution at wholesale of alcoholic liquors shall be put, for the biennium ending June 30, 1941, if and when specifically appropriated by the Legislature; to repeal said original section; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 492 be read the second time. Murphy

The motion prevailed with 36 ayes, no nays, 7 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title see Bills on First Reading)

L. B. No.	Introducer	Committee Reference
492	Brady	Revenue

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 30.

A bill for an Act to amend Sec. 4, Article IX, Constitution of Nebraska, relating to county and township officers; to amend Article XVII, Constitution of Nebraska; and to provide for the effective date thereof.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF NEBRASKA:

Section 1. That at the general election in November, 1940, there shall be submitted to the electors of the State of Nebraska for approval or rejection upon a ballot separate from that upon which the names of candidates appear the following amendments to the Constitution which are hereby proposed by the Legislature:

"Section 1. That Sec. 4, Article IX, Constitution of Nebraska, be amended to read as follows:

'Sec. 4. The Legislature shall provide by law for the election of such county and township officers as may be necessary: Provided, however, the Legislature may provide by law for a form of county government in which county officers may be elected or appointed, but such form shall be optional with each county and shall obtain in any county only upon the adoption thereof by the electors of such county.'

Sec. 2. That an additional Section be inserted in Article XVII, Constitution of Nebraska, to be known and numbered as follows:

'Sec. 10. This amendment (1940) shall be self-executing and legislation authorized hereby shall be supplemental hereto; and this amendment, except as otherwise herein specifically provided, shall be in full force and take effect on the first Thursday after the first Tuesday in January, 1941.' "

Sec. 2. That the foregoing proposed amendment to the Constitution shall be submitted to the electors at said election upon one ballot separate from that upon which the names of candidates appear, after publication once each week for four weeks in at least one newspaper in each county where a newspaper is published immediately preceding said election. Said ballot for the submission of said proposed amendment shall be in the following form:

PROPOSED CONSTITUTIONAL AMENDMENT

"FOR an amendment to Sec. 4, Article IX, and Article XVII, Constitution of Nebraska, authorizing the Legislature to provide by law for an optional form of county government in which county officers may be elective or appointive, and providing that said amendment shall be effective on the first Thursday after the first Tuesday in January, 1941," and

"AGAINST an amendment to Sec. 4, Article IX, and Article XVII, Constitution of Nebraska, authorizing the Legislature to provide by law for an optional form of county government in which county officers may be elective or appointive, and providing that said amendment shall be effective on the first Thursday after the first Tuesday in January, 1941".

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 31:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Craven
Diers
Doyle
Dunn
Gantz
Gross
Gutoski
Howard
Johnson
Klaver
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Westley

Voting in the negative, 6:

Carsten
Hastings
Herrick
Johnston
Mekota
Reed

Not voting, 6:

Carlson
Garber
Hall
Lambert
Reavis
Von Seggern

A constitutional three-fifths majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 52. (With emergency clause)

A bill for an Act to amend Secs. 53-350 and 53-357, Comp. St. Supp., 1937, relating to liquors; to provide that no tax shall be imposed on wine when sold to a non-beverage user as defined by Sec. 53-302, Comp. St. Supp., 1937; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 40:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Westley

Voting in the negative, 0.

Not voting, 3:

Hall
Reavis
Von Seggern

A constitutional two-thirds majority having voted in the affirmative the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 59. (With emergency clause)

A bill for an Act to amend Section 35-401, Compiled Statutes of Nebraska, 1929, relating to fire insurance companies and firemen; to provide that municipal treasurers in municipalities having a population of twenty-five thousand inhabitants or less shall, upon proper claim filed by the chief of the fire department and allowed by the local governing body of said municipalities, pay over all annual fire insurance companies' tax to said chief for the use, support and benefit of said department; to prescribe the duties of municipal clerks with respect to the collection and disposition of the proceeds of said tax; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 41:

Adams, E. A.
Adams, J. Jr.
Dunn
Gantz
Johnston
Klaver
Peterson
Reed

Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Westley

Voting in the negative, 0.

Not voting, 2:

Reavis
Von Seggern

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement for Journal

Mr. President: If present I would have voted "aye". (Signed) Reavis.

LEGISLATIVE BILL NO. 66.

A bill for an Act to amend Section 24-703, Compiled Statutes of Nebraska, 1929, relating to corporations; to provide qualifications for trustees or directors of educational institutions; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 40:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Tvrdik
Van Diest
Westley

Voting in the negative, 0.

Not voting, 3:

Craven Thornton Von Seggern

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 77.

A bill for an Act to amend Section 30-417, Compiled Statutes of Nebraska, 1929, relating to decedents' estates; to provide for the powers of executors and administrators in the case of fraudulent conveyances by deceased persons; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 42:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Westley

Voting in the negative, 0.

Not voting, 1:

Von Seggern

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 22. (With emergency clause)

A bill for an Act to amend Section 20-1916, Compiled Statutes of Nebraska, 1929, relating to civil procedure, district court; to prescribe the amount, terms and conditions of undertakings on appeals from the district court to the supreme court; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 42.

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Westley

Voting in the negative, 0.

Not voting, 1:

Von Seggern

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 429. (With emergency clause)

MOTION—To Suspend Rules and Read Third Time

Mr. President: I move that the rules be suspended and that L. B. No. 429 be read on third reading now. (Signed) Diers.

The motion prevailed with 31 ayes, 7 nays, 5 not voting.

A bill for an Act to amend Secs. 68-324 and 68-325, Comp. St. Supp., 1937, relating to the State Assistance Fund; to determine the allocation of the State Assistance Fund on the basis of need to the several counties in the proportion which the total amount of money expended for assistance in each county quarterly in the state of Nebraska during the second preceding quarterly period bears to the total amount of money expended for assistance in all the counties in the state of Nebraska during said second preceding quarterly period; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Herrick
Howard
Johnson
Klaver
Lambert
Mekota
Mischke
Mueller
Murphy
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Westley

Voting in the negative, 1:

Miller

Not voting, 5:

Hastings
Johnston
Neubauer
Van Diest
Von Seggern

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Explanation of Vote

Mr. President: I vote no as I feel it penalizes sixty counties who now have a balance and have been careful, as well as reducing the pay to those needing assistance in these counties. (Signed) Miller.

LEGISLATIVE BILL NO. 488 (With emergency clause)

MOTION—To Suspend Rules and Read Third Time

Mr. President: I move the rules be suspended and we now consider L. B. No. 488 on third reading. (Signed) Brady.

The motion prevailed with 39 ayes, no nays, 4 not voting.

A bill for an Act relating to state institutions; specifically to reappropriate unexpended balances in designated funds under the jurisdiction of the Board of Control in the sum of $132,497.02, as specifically itemized therein, to the Board of Control, New Building and Equipment Fund; to provide that said sum, specifically reappropriated, shall be used exclusively together with such other funds as may be available for the purpose of constructing and equipping a hospital building at the Lincoln State Hospital; to provide that said reappropriation shall be contingent upon the said Board of Control receiving grant of $67,497.56, more or less, from the Public Works Administration or other federal agency of the United States of America to aid in the constructing and equipping of said hospital building; to make said money reappropriated immediately available for the uses and purposes of this Act, subject to the terms and conditions thereof; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Westley

Voting in the negative, 0.

Not voting, 5:

Diers
Hall
Murphy
Van Diest
Von Seggern

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Approved by Governor

March 1st, 1939.

To the Members of the Legislature

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bills:

L. B. No. 27	L. B. No. 9
L. B. No. 31	L. B. No. 39
L. B. No. 43	L. B. No. 42

Respectfully submitted,
(Signed) Otho K. De Vilbiss,
Secretary to the Governor.

Member Excused

Mr. Mueller was excused from attendance on Monday, March 6th.

Adjournment

At 12:09 p. m., in accordance with Speaker Diers' motion of the Thirty-sixth Legislative Day, the Legislature adjourned until Monday, March 6th at 10:00 a. m.

Hugo F. Srb
Clerk of the Legislature.

FORTY-THIRD DAY

Legislative Chamber,

Lincoln, Nebraska, March 6, 1939.

The Legislature met at 10:04 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except John Adams, Jr. and except Mr. Mueller and Mr. Thomas who were excused.

The Journal for the Forty-second Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Carlson, one, opposing L. B. No. 425 and L. B. No. 205; Mr. Mueller, twenty-eight, opposing L. B. No. 335; Mr. Diers, one, favoring L. B. No. 61; Mr. Hastings, one, favoring L. B. No. 212 and one, opposing L. B. No. 278; Mr. Sorrell, one, opposing the diversion of gasoline taxes; Mr. Howard, one, approving L. B. No. 317; Mr. Westley, three favoring L. B. No. 152, two, opposing L. B. No. 139, one, favoring L. B. No. 61; Mr. Neubauer, one, opposing the diversion of gasoline taxes; Omaha members, one, favoring L. B. No. 148 and L. B. No. 149; Omaha members, eight, opposing L. B. No. 425; all members, one, opposing L. B. No. 119 and one opposing L. B. No. 158.

Communications

Letters were read from Senator Edward C. Burke and Congressman Harry B. Coffee, each acknowledging receipt of Legislative Resolution No. 3 adopted by the Legislature of Nebraska on February 14.

A letter was read from J. Wm. Cordell, Secretary of the Senate, of the State of Oklahoma, enclosing an enrolled copy of Senate Resolution No. 17 adopted by that body on February 27, 1939, concerning deportation of alien residents of the United States who do not qualify to assume the obligations of citizenship and become citizens of the United States of America.

A copy of the Congressional Record of date February 27, 1939 was received, stating that Vice President John N. Garner had laid before the Senate a copy of Legislative Resolution No. 3 above mentioned.

NOTICE OF COMMITTEE HEARINGS

Appropriations

L. B. No. 493, Monday, March 13, 1939, 2:00 p. m.

L. B. No. 494, Monday, March 13, 1939, 2:00 p. m.

Labor and Public Welfare

L. B. No. 358, Tuesday, March 14, 1939, 7:30 p. m.

L. B. No. 360, Tuesday, March 14, 1939, 7:30 p. m.

L. B. No. 136, Monday, March 20, 1939, 2:00 p. m.

L. B. No. 156, Monday, March 20, 1939, 2:00 p. m.

L. B. No. 177, Monday, March 20, 1939, 2:00 p. m.

L. B. No. 464, Monday, March 20, 1939, 2:00 p. m.

L. B. No. 234, Monday, March 27, 1939, 2:00 p. m.

L. B. No. 305, Monday, March 27, 1939, 2:00 p. m.

L. B. No. 448, Monday, March 27, 1939, 2:00 p. m.

L. B. No. 482, Monday, March 27, 1939, 2:00 p. m.

Public Health and Miscellaneous Subjects

L. B. No. 181, Friday, March 17, 1939, 2:00 p. m.

Public Works

L. B. No. 185, Wednesday, March 15, 1939, 2:00 p. m. (continued).

Member Excused

Mr. Craven was excused at 10:30 for the remainder of the morning.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL NO. 157. Indefinitely postponed.

LEGISLATIVE BILL NO. 408. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 408:

1. Amend the original bill, page 2, title, line 46 (the printed bill, page 1, title, line 23) by striking the word "petition" therein.

2. Amend the original bill, page 4, title, lines 92 and 93 (the printed bill, page 2, title, line 46) by striking therefrom the word and section symbol "Section 32-923" and by inserting in lieu thereof the following:

"Sections 32-923 and 32-1136".

3. Amend the original bill, page 4 (the printed bill, page 2) by striking from the caption "Introduced by" the punctuation and words as follows:

", Amos Thomas, Chairman".

4. Amend the original bill, page 4, Section 1, line 6 (the printed bill, page 2, Section 1, line 4) by striking therefrom the words "and one-half" after the word "four" therein.

5. Amend the original bill, page 4, Section 1, line 7 (the printed bill, page 2, Section 1, line 5) by striking therefrom the word "fourteen" and by inserting in lieu thereof the word **"eleven"**.

6. Amend the original bill, page 5, Section 1, line 12 (the printed bill, page 2, Section 1, line 9) by striking therefrom the words "twenty-four" and by inserting in lieu thereof the word **"eighteen"**.

7. Amend the original bill, page 5, Section 1, line 13 (the printed bill, page 2, Section 1, line 9) by inserting immediately after the word "wide" and before the punctuation "." therein the following:

"including the square in front of the line. Said square shall not be less than twenty points in size. Type shall be in not less than nine point nor larger than eleven point. The name of the candidates shall be set

in black face type, caps and lower case letters, and the party designation in light face type, caps and lower case letters".

8. Amend the original bill, page 5, Section 1, line 14, (the printed bill, page 2, Section 1, line 10) by striking the word "five-eights" therein and by inserting in lieu thereof the word "one-half".

9. Amend the original bill, page 5, Section 1, line 16 (the printed bill, page 2, Section 1, lines 11 and 12) by striking therefrom the words "not less than three-eights of an inch" and by inserting in lieu thereof the words "**three ems**".

10. Amend the original bill, page 5, Section 1, lines 19 and 20 (the printed bill, page 3, Section 1, line 14) by striking therefrom the words "not less than four nor more than eight points, apart".

11. Amend the original bill, page 6, Section 1, line 44 (the printed bill, page 3, Section 1, line 32) by striking therefrom the words "one-quarter of an inch high" and by inserting in lieu thereof the following:

"not less than eighteen points".

12. Amend the original bill, page 6, Section 1, line 55 (the printed bill, page 3, Section 1, line 41) by striking therefrom "()" and by inserting in lieu thereof:

"□".

13. Amend the original bill, page 6, Section 1, lines 66 and 67 (the printed bill, page 4, Section 1, line 50) by striking the words "one-quarter of an inch high" and by inserting in lieu thereof the words **"not less than eighteen points".**

14. Amend the original bill, page 7, Section 1, line 83 (the printed bill, page 4, Section 1, line 62) by striking therefrom **"one-quarter of an inch high"** and by inserting in lieu thereof the following:

"not less than eighteen points".

15. Amend the original bill, page 7, Section 1, lines 89 and 90 (the printed bill, page 4, Section 1, line 67) by striking therefrom the words **"one-quarter of an inch high"** and by inserting in lieu thereof the following:

"not less than eighteen points".

16. Amend the original bill, page 8, Section 1, lines 108 and 109 (the printed bill, page 5, Section 1, line 85) by striking therefrom the words **"one-quarter of an inch high"** and by inserting in lieu thereof the following:

"not less than eighteen points".

17. Amend the original bill, page 8, (the printed bill, page 5) by inserting immediately after Section 2 thereon the following:

"BALLOT FORM
SCHEDULE "A" FOLLOWS NEXT PAGE"

18. Amend the printed bill, page 7, Section 4, line 5 by inserting the punctuation "," after the word "county" and before the word "precinct"; and in said line 5 strike the punctuation "," after the word "officers".

19. Amend the original bill, page 24, Section 14, line 11 (the printed bill, page 16, Section 14, line 8) by striking therefrom the word and section symbol "Section 32-923" and by inserting in lieu thereof:

"Sections 32-923 and 32-1136";
and in line 12 of said Section 14 on page 24 of the original bill (line 9, Section 14 on page 16 of the printed bill) strike the word "is" and insert in lieu thereof the word "are".

LEGISLATIVE BILL NO. 221. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 221:

1. Amend the original bill, pages 3 and 4, Section 5, lines 4, 16, 19, 21 and 26 (the printed bill, page 3, Section 5, lines 4, 15, 18, 20 and 25); the original bill, pages 4 and 5, Section 6, lines 1, 5, 11, 12, 17, 19 and 22 (the printed bill, pages 3 and 4, Section 6, lines 1, 5, 10, 11, 16, 17, 18 and 21); the original bill, pages 5 and 6, Section 7, lines 3, 5, 14, 18 and 31 (the printed bill, pages 4 and 5, Section 7, lines 3, 5, 13, 17, 18 and 31); the original bill, page 7, Section 8, lines 15 and 18 (the printed bill, page 6, Section 8, lines 14 and 17); the original bill, pages 7 and 8, Section 9, lines 13, 19, 27, 30, 34, 40, 41 and 42 (the printed bill, pages 6 and 7, Section 9, lines 13, 19, 27, 30, 34, 40, 41 and 42); the original bill, pages 9 and 10, Section 10, lines 8, 12, 25 and 26 (the printed bill, pages 7 and 8, Section 10, lines 7, 11, 24 and 25); the original bill, pages 10 and 11, Section 11, lines 2, 7, 21, 23, 27, 31 and 34 (the printed bill, pages 8 and 9, Section 11, lines 2, 7, 20, 22, 26, 30 and 33); the original bill, pages 11 and 12, Section 12, lines 6, 7 and 11 (the printed bill, page 9, Section 12, lines 6, 7 and 11); the original bill, pages 12 to 19 inclusive, Section 13, lines 27, 29, 34, 147, 149, 158, 231 and 278 (the printed bill, pages 10 to 17 inclusive, Section 13, lines 27, 29, 34, 148, 150, 160, 233 and 278); the original bill, page 20, Section 14, lines 1, 4, 5, 9, 18 and 21 (the printed bill,

page 18, Section 14, lines 1, 4, 8, 17 and 20); and the original bill, page 22, Section 18, line 13 (the printed bill, page 20, Section 18, line 13) by striking the words "Treasurer", "treasurer", "Treasurers" or "Treasurer's" wherever said words, or any of them, appear in each of said lines respectively and by inserting in lieu thereof the words "Clerk", "clerk", "Clerks" or "Clerk's" in each of said lines respectively as the context shall require.

2. Amend the original bill, page 1, title, line 6 (the printed bill, page 1, title, lines 5 and 6) by striking the word "treasurers" therein and by inserting in lieu thereof the word "clerks".

3. Amend the original bill, pages 2 to 23 inclusive (the printed bill, pages 1 to 20 inclusive) by striking the first word "Section" in line 1 in each of said Sections 2 to 19 inclusive thereon, and by inserting in lieu thereof the abbreviation and punctuation "Sec.".

4. Amend the original bill, page 2, Section 1, lines 2 and 3 (the printed bill, page 1, Section 1, lines 2 and 3) by striking therefrom "Section 60-301 and 60-302 C. S. Supp. 1937" and by inserting in lieu thereof the following:

"of Secs. 60-301 and 60-302, Comp. St. Supp., 1937,".

5. Amend the original bill, page 2, Section 1, line 4 (the printed bill, page 1, Section 1, line 4) by striking therefrom "aforesaid provisions of the laws of Nebraska" and by inserting in lieu thereof the following:

"provisions of said sections, as now existing or as hereafter amended".

6. Amend the original bill, page 2, Section 2, line 5 (the printed bill, page 2, Section 2, line 5) by striking the word "act" and by inserting in lieu thereof the word and punctuation "Act,".

7. Amend the original bill, page 2, Section 3, lines 1 and 2 (the printed bill, page 2, Section 3, line 1) by inserting the punctuation "," after the word "person" and also after the word "section" therein.

8. Amend the original bill, page 2, Section 3, line 7 (the printed bill, page 2, Section 3, line 6) by striking the figures "90" and by inserting in lieu thereof the word "ninety".

9. Amend the original bill, page 3, Section 4, lines 1 and 2 (the printed bill, page 2, Section 4, line 1) by inserting the punctuation "," after the word "person" and the word "Act" therein.

10. Amend the original bill, page 3, Section 5, line 5 (the printed bill, page 3, Section 5, line 5) by striking the word "State" therein and by inserting in lieu thereof the word "state".

11. Amend the original bill, page 3, Section 5, line 6 (the printed bill, page 3, Section 5, line 6) by striking the word "County" and by inserting in lieu thereof the word "county".

12. Amend the original bill, page 3, Section 5, line 12 (the printed bill, page 3, Section 5, line 11) by inserting the punctuation "," after the word "state" and before the word "said" therein.

13. Amend the original bill, page 4, Section 5, line 35 (the printed bill, page 3, Section 5, line 33) by striking the punctuation ";" therein and by inserting in lieu thereof the punctuation":".

14. Amend the original bill, page 5, Section 6, line 6 (the printed bill, page 4, Section 6, line 6) by inserting the punctuation "," before and after the conjunction "and".

15. Amend the original bill, page 5, Section 6, line 8 (the printed bill, page 4, Section 6, line 8) by inserting the punctuation "," after the word "vehicle".

16. Amend the original bill, page 5, Section 6, line 11 (the printed bill, page 4, Section 6, line 10) by inserting the punctuation "," after the word "Act" therein.

17. Amend the original bill, page 6, Section 7, line 15 (the printed bill, page 5, Section 7, line 14) by inserting the punctuation "," after the word "issued" therein.

18. Amend the original bill, page 6, Section 7, line 26 (the printed bill, page 5, Section 7, line 26) by inserting the punctuation "," after the word "cancelled" therein.

19. Amend the original bill, page 7, Section 8, line 14 (the printed bill, page 6, Section 8, line 13) by striking the preposition "to" before the verb "be" therein and by inserting in lieu thereof the following:

"; and said report shall".

20. Amend the original bill, page 7, Section 9, lines 1 and 2 (the printed bill, page 6, Section 9, lines 1 and 2) by striking that portion of said lines 1 and 2 commencing with the word "Section" after the preposition "of" in line 1 therein down to and including the figures "1929" in line 2 of said section and by inserting in lieu thereof the following:

"Sections 36-208, 36-301, 36-302 and 36-303, Compiled Statutes of Nebraska, 1929, and the provisions of Sec. 36-209, Comp. St. Supp., 1937".

21. Amend the original bill, page 8, Section 9, line 27 (the printed bill, page 7, Section 9, line 27) by striking the word "County" and by inserting in lieu thereof the word "county".

22. Amend the original bill, page 9, Section 9, line 44 (the printed bill, page 7, Section 9, line 43) by inserting the punctuation ";" after the word "title" and before the conjunction "and" therein.

23. Amend the original bill, page 9, Section 9, lines 47 and 48 (the printed bill, page 7, Section 9, lines 46 and 47) by striking that portion of said lines commencing with the word "Sections" in line 47 of the original bill (line 46 of the printed bill) down to and including the figures "1929" in line 48 of the original bill (line 47 of the printed bill) and by inserting in lieu thereof the following:

"Sections 36-208, 36-301, 36-302 and 36-303, Compiled Statutes of Nebraska, 1929, and the provisions of Sec. 36-209, Comp. St. Supp., 1937".

24. Amend the original bill, page 10, Section 10, line 21 (the printed bill, page 8, Section 10, line 21) by inserting the punctuation "," after the word "ownership" therein.

25. Amend the original bill, page 10, Section 11, line 2 (the printed bill, page 8, Section 11, line 2) by striking the word "County" and by inserting in lieu thereof the word "county".

26. Amend the original bill, page 11, Section 11, line 29 (the printed bill, page 9, Section 11, line 28) by inserting the punctuation "," after the word "destroyed" therein.

27. Amend the original bill, page 14, Section 13, line 64 (the printed bill, page 11, Section 13, line 64) by striking the word "RE-ASSIGNMENT" and by inserting in lieu thereof the word "REASSIGNMENT".

28. Amend the original bill, page 20, Section 14, lines 16 and 17 (the printed bill, page 18, Section 14, lines 15 and 16) by striking therefrom the words "and when appropriated to be used" and by inserting in lieu thereof the following:

", and, if and when specifically appropriated by the Legislature for that purpose, shall be used during any biennium solely".

29. Amend the original bill, page 21, Section 15, line 3 (the printed bill, page 18, Section 15, line 3) by striking the first word "Section"

therein; and also in said line 3 strike the word "Treasurers" therein and insert in lieu thereof the word **"treasurers".**

30. Amend the original bill, page 21, Section 15, line 7 (the printed bill, page 18, Section 15, line 7) by striking the word "Article" and by inserting in lieu thereof the word **"article"**; and in line 12, of said Section 15, on page 21 of the original bill (line 11, Section 15, page 19 of the printed bill) strike "Five (5c) Cents" and insert in lieu thereof the following:

"five cents".

31. Amend the original bill, page 21, Section 16, line 1 (the printed bill, page 19, Section 16, line 1) by inserting the punctuation "," after the symbol "60-325" and before the word "Compiled".

32. Amend the original bill, page 22, Section 17, line 24 (the printed bill, page 19, Section 17, line 21) by striking therefrom "$5,000.00" and by inserting in lieu thereof the words "five thousand dollars".

33. Amend the original bill, page 22, Section 18, line 18 (the printed bill, page 20, Section 18, line 18) by striking therefrom "$200.00" and by inserting in lieu thereof "two hundred dollars".

34. Amend the original bill, page 1, title, line 15 (the printed bill, page 1, title, line 15) by inserting the punctuation "," after the symbol "60-325" and before the word "Compiled" therein.

35. Amend the original bill, page 1, title, line 16 (the printed bill, page 1, title, line 15) by striking the conjunction "and" in the original bill (the punctuation and conjunction ", and" in the printed bill) and by inserting in lieu thereof the punctuation ";".

36. Amend the original bill, page 1, title (the printed bill, page 1, title) by striking all of said title after the symbol "60-325" in line 16 of the original bill (line 16 of the printed bill) and by inserting in lieu thereof the following:

"; providing a validity clause; and prescribing penalties for the violation of the several provisions of this Act.".

37. Engross all sections of the original bill solid, except Section 13, so that each section will constitute a single unit of legislation without paragraphs therein.

38. Engross the original bill, as amended, so that whenever the words "County Clerk", "County Clerks", "Clerk", "Clerks", "Clerk's" or "Clerks'" appear in either title or text, so that the same will appear in the engrossed bill in each instance in lower case, save and except

in Section 13 of said bill, or in any other section thereof where said words, or any combination of said words, appear within quotation marks.

LEGISLATIVE BILL NO. 203. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 203:

1. Amend the original bill, page 1, Section 1, line 12 (the printed bill, page 1, Section 1, line 10) by striking therefrom the words "on a" and by inserting in lieu thereof the punctuation and word:

", upon".

2. Amend the original bill, page 2, Section 1, line 14 (the printed bill, page 1, Section 1, line 11) by inserting the word "succeeding" after the word "next" and before the word "section" therein.

3. Amend the original bill, page 2, Section 2, line 2 (the printed bill, page 1, Section 2, line 1) by inserting immediately after the word "shall" and before the word "show" therein the following:

"allege and affirmatively".

4. Amend the original bill, page 2, Section 2, line 4, (the printed bill, page 1, Section 2, line 3) by striking the word "Second" and by inserting in lieu thereof the word "second".

5. Amend the original bill, page 2, Section 2, line 5 (the printed bill, page 2, Section 2, line 5) by striking therefrom the word "Third" and by inserting in lieu thereof the words:

"and third".

6. Amend the original bill, page 2, Section 2, line 8 (the printed bill, page 2, Section 2, line 7) by striking therefrom the words "it deems the petition" therein and by inserting in lieu thereof the following:

"said petition is deemed".

7. Amend the original bill, page 2, Section 2, line 9 (the printed bill, page 2, Section 2, lines 7 and 8) by striking therefrom the words "the matter down for hearing" therein and by inserting in lieu thereof the following:

"a day for hearing on said petition".

8. Amend the printed bill, page 2, Section 2, line 9 by striking the first punctuation "," therein after the word "given" and before the word "Provided" and by inserting in lieu thereof the punctuation ":".

9. Amend the original bill, page 1, title, line 9 (the printed bill, page 1, title, line 6) by inserting after the word "person" therein the following:

"; and to prescribe procedure therefor".

(Signed) Gantz, Vice Chairman.

Banking, Commerce and Insurance.

LEGISLATIVE BILL NO. 365. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 365:

1. Amend the original bill, page 1, title (the printed bill, page 1, title) by striking all of said title after the word "Nebraska" in line 2 of the original bill (in line 2 of the printed bill) and by inserting in lieu thereof the following:

", 1929, relating to cooperative companies; to prescribe the method by which the dissolution of said companies may be accomplished; and to repeal said original section."

2. Amend the original bill, page 1, Section 1 (the printed bill, page 1, Section 1) by striking that part of said section commencing with the preposition "for" in line 2 of the original bill (line 1 of the printed bill) down to and including the word and punctuation "follows:" in line 3 of the original bill (line 2 of the printed bill) and by inserting in lieu thereof the following:

", 1929, be amended to read as follows:".

3. Amend the original bill, page 1, Section 2 (the printed bill, page 1, Section 2) by striking all of said section after the word "That" in line 1 of the original bill (line 1 of the printed bill) and by inserting in lieu thereof the following:

"said original Section 24-1329, Compiled Statutes of Nebraska, 1929, is hereby repealed."

LEGISLATIVE BILL NO. 133. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 133:

1. Amend the original bill, page 1 (the printed bill, page 1) by striking all of Sections 1 and 2 thereon after the enacting clause and by inserting in lieu thereof the following:

"Section 1. That Sec. 66-601, Comp. St. Supp., 1937, be amended to read as follows:

66-601. **Distributors and all other persons** ~~It shall hereafter be unlawful for the owner and/or proprietor, his agents, employes or servants, of any filling station, lubritorium and/or other establishments,~~ selling ~~or dispensing gasoline or other~~ motor vehicle fuels, ~~to fail, refuse or neglect to post or display, during business hours, in a conspicuous place on the premises occupied by him, a sign or placard not less than eight inches by ten inches in dimension, having a white background and having printed thereon in black figures not less than three inches in height the selling price per gallon of gasoline or other motor vehicle fuels, in the manner hereinafter required by the provisions of this section. The price per gallon shall be so posted and/or displayed so that the figures or legend on said signs an/or other advertising devices, shall not indicate any sale price other than the price per gallon of such motor vehicle fuels, including the tax thereon, expressed in one combination of numerals in one horizontal line~~ **may add the amount of the tax to the price of the motor vehicle fuel sold by them, and shall state the rate of the tax and the total of the price plus the tax separately from the actual price of the motor vehicle fuel, in figures of equal size, on all price display signs which advertise or indicate the price of motor vehicle fuel. The price of the motor vehicle fuel shall be placed at the top of the price display signs, the rate of the tax shall be placed directly below said price and the sum total of the price plus the rate of tax shall be placed at the bottom of such price display signs, properly labeled or designated as the total price.**

Sec. 2. That Sec. 66-602, Comp. St. Supp., 1937, be amended to read as follows:

66-602. Any person, firm or corporation, **their** agents, servants ~~and/~~or employes, violating the provisions of the ~~preceding section (C. S. Supp. 1937~~**, Sec. 66-601**~~)~~**, Comp. St. Supp., 1937, as amended by Legislative Bill No. 133, Fifty-third Session, Nebraska State Legislature, 1939,** shall be deemed guilty of a misdemeanor, and, upon conviction thereof shall be fined not less than twenty-five dollars nor more than one hundred dollars.

Sec. 3. That Sec. 66-309, Comp. St. Supp., 1937, be amended to read as follows:

66-309. (1) All pumps and such other devices as are used to dispense motor vehicle fuels in the process of retail sale, shall be plainly marked and legibly labeled to denote the contents thereof. It shall be construed as a violation of this act **Act,** to sell, offer for sale or expose for sale any motor vehicle fuels from pumps or other such devices, which bear labels, crowns, insignia, trade marks, signs or marks of any kind which represent the fuels therein, to be of any other kind, brand, manufacture or quality than such representation indicates. (2) It shall also be construed as a violation of this act **Act,** for any firm, corporation, person or employees thereof, to offer by word of mouth or to set forth in any way whatever, any misleading statement as to the kind of quality of motor vehicle fuels sold, offered or exposed for sale. (3) It shall also be construed as a violation of this act **Act,** for any person, firm or corporation, where motor vehicle fuels are sold, offered for sale or exposed for sale, at different prices for different qualities or grades of motor vehicle fuels to use advertising price signs in such manner as to mislead the public to believe that the price quoted is for all qualities of fuels sold on the premises: **Provided, however,** that this shall not apply to those motor vehicle fuels represented to contain and sold as fuels having special anti-knock values, and sold as such at a premium price. (4) Wherever motor vehicle fuels are offered for sale, exposed for sale or sold, by any firm, person or corporation, a placard or sign shall be posted on each pump, not less than nine inches long and six inches high, on which shall be legibly written or printed, **in strict conformance with the provisions of Sec. 66-601, Comp. St. Supp., 1937, as amended by Section 1, Legislative Bill No. 133, Fifty-third Session, Nebraska State Legislature, 1939,** the price of motor fuels sold, offered for sale or exposed for sale.

Sec. 4. That said original Secs. 66-601, 66-602 and 66-309, Comp. St. Supp., 1937, are hereby repealed."

2. Amend the original bill, title, page 1, (the printed bill, title, page 1) by striking all of said title after the word "ACT" in line 2 of the original bill (line 2 of the printed bill) and by inserting in lieu thereof the following:

"to amend Secs. 66-601, 66-602 and 66-309, Comp. St. Supp., 1937, relating to motor vehicle fuels; to provide specifications with respect to signs and placards indicating the sale price of said fuels; and to repeal said original sections."

(Signed) Hall, Chairman.

MOTION—To Set Appropriation Bills for Hearing

Mr. President: I move that all bills requiring appropriations be heard and report be made not later than March 20, 1939, and if reported out of standing committees that they receive preference on General File. (Signed) Schultz.

The motion prevailed.

MOTION—To Print Proposed Ballot

Mr. President: I move that 300 printed copies of the proposed ballot under L. B. No. 408 be furnished to the Legislature. (Signed) Gantz.

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL NO. 78. Passed over.

LEGISLATIVE BILL NO. 5. Laid over one day.

LEGISLATIVE BILL NO. 11. E and R amendments as found in the Legislative Journal for the Forty-second Day were adopted.

The following amendment was offered by Mr. Dunn who asked unanimous consent to consider it on General File.

Amend the printed bill (L. B. No. 11) by striking all of the words after the word 'debts' in line 7 down to and including the stricken words 'one-half per cent and semicolon' in line 16 and just before the word 'and' in line 16, and insert in lieu thereof the words, 'not to exceed two per cent', so that Section 1 as amended will read as follows:

Section 1. That Sec. 30-1411, Comp. St. Supp., 1937, be amended to read as follows:

30-1411. When no such compensation shall be provided by the will, or the executor shall renounce all claim thereto, he shall be allowed commissions upon the amount of personal estate collected and accounted for by him, and of the proceeds of real estate sold under an order of the court for the payment of debts, not to exceed two per cent, and the same commissions shall be allowed to administrators; and in all cases such further allowances may be made as the judge of probate shall deem just and reasonable for any extraordinary services not required of an executor or administrator in the common course of his duty.

Unanimous consent was not granted.

Mr. Dunn moved to suspend the rules and consider the amendment.

Mr. Diers made a substitute motion that the bill be returned to General File at the head of the list.

The substitute motion prevailed.

LEGISLATIVE BILL NO. 139. E and R amendments as found in the Legislative Journal for the Forty-second day were adopted.

Mr. Van Diest moved that L. B. No. 139 be recommitted to General File for the following specific amendments:

1. Amend the printed bill, page 2, Section 1, by striking that part of said printed bill commencing with the word "Every" in line 17 therein down to and including the word "examination" in line 47 therein and by inserting in lieu thereof the following:

"~~Every pupil~~ **If** after taking this course of study ~~may by applying to the county superintendent take examination in these subjects, such examination to be held at a~~ **the** ~~time and place designated by the county superintendent and held by him or his assistant, and at no time shall be held by a teacher any of whose pupils are taking the examination. The questions used in such examination shall be furnished by the state superintendent and be the same in all the counties each year. The county superintendent at the close of such examination shall after ascertaining that the name of the pupil is not written on any examination paper, record each set of papers by name and also by number, after which such papers shall be turned over to the examining board who shall consider the papers by numbers only. Said board to be appointed by the county superintendent and shall consist of at least five competent examiners with qualifications at least equal to those required for a second grade county~~ **third grade** ~~elementary certificate~~ **and shall have had at least three years** ~~teaching experience. Each member of said examing board shall give careful consideration to the grading of each paper, expense of such grading to be paid out of the general fund of the county, and if~~ such pupils shall have passed with an average of seventy-five per cent in the subjects named in this chapter, no subject less than sixty per cent, **the teacher of each school shall certify such fact to the county superintendent and** the county superintendent shall issue a certificate stating the pupil is entitled to free high school tuition, providing the ninth grade is not being taught in the district where pupil's parents or guardians reside. The course of study for the high school grades shall be the Nebraska high school manual issued ~~jointly~~ by ~~the University of Nebraska and~~ the state superintendent of public instruction. Second. Every pupil to be entitled under the provisions of this article to free public high school education in the ninth grade of any public school district maintaining such grade, must have a statement signed by the ~~county superintendent~~ **teacher of his school** that he has passed the ~~necessary examination~~ **eighth grade".**

2. Amend the printed bill, page 1, title by striking that part of said title commencing with the punctuation and word ", the" in line 4 down to and including the word and punctuation "education;" in line 8 of said title and by inserting in lieu thereof the following:

"to entitle pupils of public school districts which maintain less than a four year high school course of study to the privileges of free public high school education; to abolish requirements for examinations to be given by county superintendents to pupils completing the required course of study in public school districts which maintain less than a four year high school course of study, as a condition precedent to admission to free public high schools of this state; to provide that said pupils shall be entitled to free public high school education in the ninth grade of any public high school district upon statement signed by the teacher of his school that he has passed the eighth grade with a seventy-five per cent average in all subjects required for a second grade certificate;".

A record vote was requested.

Mr. Klaver was excused.

A call of the House was ordered.

The call was raised.

Voting in the affirmative, 11:

Adams, E. A.
Ashmore
Diers
Gross
Gutoski
Miller
Neubauer
Norman
Tvrdik
Van Diest
Westley

Voting in the negative, 19:

Brady
Brodecky
Callan
Doyle
Gantz
Hall
Hastings
Herrick
Howard
Johnson
Lambert
Mekota
Mischke
Peterson
Reavis
Rossiter
Schultz
Sorrell
Thornton

Not voting, 13:

Adams, J. Jr.
Carlson
Carsten
Craven
Dunn
Garber
Johnston
Klaver
Mueller
Murphy
Reed
Thomas
Von Seggern

The motion was lost.

Mr. Van Diest moved that the rules be suspended and the amendment be considered at once; which motion was lost with 11 ayes, 13 nays, 19 not voting.

Mr. Van Diest moved that the bill be indefinitely postponed, which motion lost.

Mr. Schultz moved that it be referred to Enrollment and Review for engrossment.

Mr. Van Diest offered a substitute motion that L. B. 152 be raised out of committee for consideration before the house and that L. B. No. 139 be laid over one day.

A division of the question was requested.

On the division that L. B. No. 139 be laid over one day, the motion prevailed.

On the division to raise L. B. No. 152, the motion was lost with 12 ayes, 14 nays, 17 not voting.

MOTION—To Suspend Rules and Introduce Bills

Mr. President: I move that we suspend rules for the introduction of new bills covering request of the Governor. (Signed) Brady.

The motion prevailed with 33 ayes, no nays, 10 not voting.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 493. By Committee on Appropriations.

A bill for an Act specifically to reappropriate the sum of $187,167.49, more or less, constituting unexpended balances in the various state assistance services, as of February 1, 1939, all as specifically divided and itemized therein, and heretofore allocated according to law to the several counties of the State of Nebraska on the basis of population by the Board of Control of state institutions but unexpended, unused and not required by said counties, to the State Assistance Fund proper identified as Auditor of Public Accounts, No. 352, for allocation and distribution to all of said counties from and after the effective date of this Act up to and including June 30, 1939 on the basis of need based upon findings of fact under standards and tests provided by law; to make said money reappropriated immediately available for the uses and purposes of this Act, subject to the terms and conditions thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 494. By Committee on Appropriations.

A bill for an Act to amend Sec. 68-317, Comp. St. Supp., 1937; to amend paragraph 1, Section 49, Chapter 193, Session Laws of Nebraska, 1937; and to amend Sections 1 and 2, Legislative Bill No. 13, Fifty-third Session, Nebraska State Legislature, 1939, relating to the State Assistance Fund; to limit appropriations for the uses and purposes of said fund for the biennium beginning July 1, 1937 and ending June 30, 1939 to $7,800,000.00; to repeal said original sections; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 493 and L. B. No. 494 be read the second time. (Signed) Brady.

The motion prevailed with 35 ayes, no nays, 8 not voting.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L. B. No.	Introducer	Committee Reference
493	Committee on Appropriations	Appropriations
494	Committee on Appropriations	Appropriations

Statement for Journal.

Mr. President: Had I been present when L. B. No. 30 was passed, I would have voted aye. (Signed) Von Seggern.

Adjournment

At 12:18 p. m. on motion by Mr. Gutoski the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FORTY-FOURTH DAY

Legislative Chamber.
Lincoln, Nebraska, March 7, 1939.

The Legislature met at 9:08 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Thomas who was excused.

The Journal for the Forty-third Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Westley, three, opposing the proposed changes in the law concerning raising of license fees and making any part of the Platte river a game reserve; Mr. Brodecky, one, Mr. Mischke, one, each favoring L. B. No. 202; Mr. Tvrdik, one favoring L. B. No. 138 and L. B. No. 409; Ernest A. Adams, one, favoring L. B. No. 67; Mr. Tvrdik, one, favoring L. B. No. 206; all members, one, opposing L. B. No. 5.

Communications

A letter was read from Helen M. Dart, representing the Social Security Board in Washington, addressed to Mr. Vandemoer, Director of Assistance, concerning social security legislation now before the Legislature of Nebraska.

Speaker Diers requested that a mimeographed copy of this letter be placed on the desk of each member.

MOTION—That Committee be Appointed

Social Security Legislation

Mr. President: I move that the Chair appoint a committee of three to ascertain what federal requirements must be met by Nebraska to receive federal aid for social security legislation. (Signed) Diers.

The motion prevailed and the Chair appointed the following members to serve on said committee:

Schultz Murphy Rossiter

NOTICE OF COMMITTEE HEARINGS

Education

L. B. No. 126, Monday, March 13, 1939, 2:00 p. m.

L. B. No. 158, Monday, March 13, 1939, 2:00 p. m.

L. B. No. 329, Monday, March 13, 1939, 2:00 p. m.

L. B. No. 357, Monday, March 13, 1939, 2:00 p. m.

L. B. No. 227, Monday, March 13, 1939, 2:00 p. m.

L. B. No. 411, Monday, March 13, 1939, 2:00 p. m.

MOTION—To Recommit to Standing Committee

Mr. President: I move that L. B. No. 315 be rereferred to the standing committee for further consideration. (Signed) Doyle.

The motion prevailed.

BILLS ON THIRD READING

LEGISLATIVE BILL NO. 40. Passed over.

SELECT FILE

LEGISLATIVE BILL NO. 5. Passed over.

LEGISLATIVE BILL NO. 139. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 32. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 78. E and R amendments as found in the Legislative Journal for the Fortieth Day were adopted.

Mr. Gutoski moved that L. B. No. 78 be referred to E and R for engrossment.

As a substitute, Mr. Craven moved that the bill be recommitted to the General File to be amended as follows: By striking out the words beginning with the word "may", which is the last word in line 16, Sec. 1 of the printed bill, and continuing by striking out all of lines 17, 18 and 19 of Section 1 of the printed bill.

A call of the House was ordered.

The call was raised.

The vote was taken and verified.

Mr. Gutoski changed his vote from nay to aye and moved for a call of the House.

A call of the House was ordered.

Mr. Gutoski changed his vote from aye to nay and moved that the call be raised.

The call was raised.

The vote was 17 ayes, 17 nays, 9 not voting.

The President exercised his privilege, voted nay and announced the motion was lost.

Explanation of Vote.

I have carefully studied Mr. Craven's amendment and find that it proposes to strike only the predicate portion of the new matter, and leaving a portion which fails to state a complete sentence and would result in ambiguity and uncertainty. I therefore vote no. (Signed) Wm. Edw. Johnson.

Vote was taken on Mr. Gutoski's original motion to refer to E and R for engrossment and record vote was requested.

Voting in the affirmative, 20:

Adams, E. A.
Adams, J. Jr.
Brodecky
Carsten
Diers
Dunn
Gross
Gutoski
Hall
Hastings
Klaver
Lambert
Mekota
Miller
Norman
Peterson
Rossiter
Thornton
Westley
Tvrdik

Voting in the negative, 10:

Ashmore
Brady
Craven
Doyle
Gantz
Johnson
Johnston
Murphy
Neubauer
Reavis

Not voting, 13:

Callan
Carlson
Garber
Herrick
Howard
Mischke
Mueller
Reed
Schultz
Sorrell
Thomas
Van Diest
Von Seggern

The motion prevailed.

MOTION—To Reconsider Action

Mr. President: I move that the Legislature reconsider its action in indefinitely postponing L. B. No. 443. (Signed) Dunn.

The motion was lost for want of a second.

MESSAGE FROM THE GOVERNOR

Bureau of Securities

March 7th, 1939.

To the Members of the Fifty-Third Session
of the Nebraska Legislature

Gentlemen:

Recent exposure of the affairs of the First Mortgage Acceptance Corporation imperatively demands that the public be safeguarded against the possibility of any further schemes or operations of this character in the state. Doubt has been raised as to the adequacy of the power, facilities, and funds of the bureau of securities under the existing statutes to deal with such a situation. Such remedial steps should be taken by this legislature to amend and fortify the present statutes, as can leave no possible doubt as to the sufficiency of the state's machinery in such cases. One thing which I believe ought to be done is to place the bureau of securities under the department of banking and to make available the latter's examination facilities in connection with any investment or securities corporation. The problem is one which should have, and which I am sure will receive, your most earnest consideration.

Respectfully submitted,

(Signed) R. L. Cochran,
Governor.

MOTION—To Defer Action on Certain Bills

Mr. President: I move that all insurance and securities legislation and bills on General File pertaining to the same be held in abeyance until a report is made by the Insurance Investigating Committee, in accordance with the Governor's message. (Signed) Miller.

MOTION—To Amend Mr. Miller's Motion

Mr. President: I move to amend Mr. Miller's motion by making it include L. B. No. 78. (Signed) Craven.

Record vote was requested:

Voting in the affirmative, 23:

Ashmore
Brady
Callan
Carlson
Carsten
Craven
Diers
Doyle
Gantz
Garber
Howard
Johnson
Johnston
Lambert
Mekota
Mischke
Murphy
Neubauer
Peterson
Reavis
Reed
Sorrell
Von Seggern

Voting in the negative, 9:

Brodecky
Gross
Gutoski
Hall
Hastings
Klaver
Mueller
Schultz
Westley

Not voting, 11:

Adams, E. A.
Adams, J. Jr.
Dunn
Herrick
Miller
Norman
Rossiter
Thomas
Thornton
Van Diest
Tvrdik

The motion prevailed.

Vote was taken on Mr. Miller's motion as amended and the motion prevailed.

Invitation

Through Mr. Von Seggern an invitation was extended to the members of the Legislature and their wives to attend a Grid Iron banquet at the Lincoln Hotel on Friday evening March 24th.

Mr. W. A. Hanthorn, a former member of the Legislature addressed the assembly briefly.

Adjournment

At 12:04 p. m. on motion by Speaker Diers the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FORTY-FIFTH DAY

Legislative Chamber,
Lincoln, Nebraska, March 8, 1939.

The Legislature met at 9:06 a. m. President Johnson presiding.

Reverend J. E. Taylor, Dean of Doane College, led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Forty-fourth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Callan, one, opposing L. B. No. 158; Mr. Dunn, one, favoring L. B. No. 67; Mr. Brodecky, one, favoring L. B. No. 202; Mr. Mueller, one, opposing L. B. No. 44 and favoring L. B. No. 464; Mr. Reed, one, opposing L. B. No. 158, L. B. No. 269 and L. B. No. 415; all members, one, opposing L B. No. 139 and one favoring L. B. No. 214.

Invitations

An invitation was extended to the President and members of the Legislature and their wives, to make an inspection tour of the projects of The Central Nebraska Public Power and Irrigation District and the Platte Valley Public Power and Irrigation District, from Friday evening March 17th to Sunday evening March 19th, which tour is to be sponsored by the Chambers of Commerce of several towns in the two districts.

On motion by Mr. Howard the invitation was accepted.

The President extended an invitation from Lee Webb, Secretary of the State Athletic Association, to all members of the Legislature and their wives, to attend the State High School Basket Ball tournament at the Coliseum, March 8th to 11th, upon presentation of identification cards.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

L. B. No. 231, Tuesday, March 14, 1939, 2:30 p. m. (Reset)

A public hearing on truck regulation will be held in the Old Senate Chamber at 7:30 p. m. Tuesday, March 14, 1939.

Mr. Hall announced that no hearings will be held on the following bills until after the Committee on Investigation and Examination of the Department of Insurance has reported:

L. B. No. 381
L. B. No. 313
L. B. No. 412
L. B. No. 423
L. B. No. 426
L. B. No. 406
L. B. No. 281
L. B. No. 259
L. B. No. 260
L. B. No. 353
L. B. No. 354

Claims and Deficiencies

L. B. No. 245, Monday, March 13, 1939, 2:00 p. m.

L. B. No. 415, Monday, March 13, 1939, 2:00 p. m.

Revenue

L. B. No. 225, Tuesday, March 21, 1939, 2:00 p. m.

L. B. No. 359, Tuesday, March 21, 1939, 2:00 p. m.

L. B. No. 388, Tuesday, March 21, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL NO. 124. Placed on General File.

LEGISLATIVE BILL NO. 88. Indefinitely postponed.

LEGISLATIVE BILL NO. 188. Indefinitely postponed.

(Signed) Hall, Chairman.

Education

LEGISLATIVE BILL NO. 413. Placed on General File.

LEGISLATIVE BILL NO. 473. Placed on General File.

LEGISLATIVE BILL NO. 61. Indefinitely postponed.

LEGISLATIVE BILL NO. 491. Placed on General File.

(Signed) Schultz, Chairman.

Labor and Public Welfare

LEGISLATIVE BILL NO. 475. Indefinitely postponed.

LEGISLATIVE BILL NO. 195. Indefinitely postponed.

LEGISLATIVE BILL NO. 143. Indefinitely postponed.

LEGISLATIVE BILL NO. 161. Placed on General File.

LEGISLATIVE BILL NO. 162. Placed on General File.

LEGISLATIVE BILL NO. 163. Indefinitely postponed.

LEGISLATIVE BILL NO. 265. Placed on General File.

LEGISLATIVE BILL NO. 270. Placed on General File.

LEGISLATIVE BILL NO. 351. Placed on General File.

LEGISLATIVE BILL NO. 389. Placed on General File.

(Signed) Dunn, Chairman.

Enrollment and Review

Correctly Enrolled

L. B. No. 14
L. B. No. 77
L. B. No. 30
L. B. No. 22
L. B. No. 66
L. B. No. 59
L. B. No. 52
L. B. No. 429
L. B. No. 488

(Signed) Craven, Chairman.

Legislative Administration

February Expenditures

Fund E-2		$54,700.13
Members' Salaries, Second Installment	$8,600.00	
Total		8,600.00
Balance in Fund E-2		$46,100.13
Funds E-3, E-4, E-5		$26,417.79
Officers' & Employees' Salary, E-4	$6,401.75	
Postage, E-5	1,000.00	
Printing & Office Expense E-5	789.19	
Typewriter Rental (Two Months) E-5	174.00	
(Members visiting State Institutions)		
Transportation—E-5	135.30	
Lodging and meals—E-5	106.25	
Total		$ 8,606.49
Balance in Funds E-3, E-4, E-5		$17,811.30
Fund No. 8		$ 1,500.00
Clerk of Legislature Salary	$ 300.00	
Total		300.00
Balance in Fund No. 8		$ 1,200.00

Note: Employees **not now employed** who appear in Legislative Journal, Thirty-Second Day—February 15th.

Name	Position	Rate
George Schmit	Stenographer	$4.00
Jane Beales	Stenographer	4.00
Helen Borner	Stenographer	4.00
Robert F. Cocklin	Committee Clerk	5.00
Carl Peterson	Ass't. Bill Clerk	4.00
Henry T. Remington	Page-Messenger	3.25
William Burns	Ass't. Cutodian	3.50
Chas. Coffey	Ass't. Cutodian	3.50
Thomas J. Doran	Proof Reader (per hour)	.50

New Employees

J. S. Hedgecock	Docket Clerk	$4.00
Mrs. June Trammell	Stenographer	4.00
Frances Andrews	Stenographer	4.00

Change in Position

Nellie von Dorn	Committee Clerk	5.00

(Signed) Carsten, Chairman.

By unanimous consent the Clerk dispensed with reading the report, because it appears in the Journal in detail.

MOTION—Not to Concur in Report

Mr. President: I move that we do not concur with the committee's report on L. B. No. 61, and that same be placed on General File. (Signed) Miller.

Record vote was requested.

Voting in the affirmative, 17:

Adams, J. Jr.
Brodecky
Craven
Diers
Doyle
Dunn
Gutoski
Johnson
Johnston
Klaver
Lambert
Miller
Norman
Reed
Thornton
Tvrdik
Westley

Voting in the negative, 23:

Ashmore
Brady
Callan
Carlson
Carsten
Gantz
Garber
Gross
Hastings
Herrick
Howard
Mekota
Mischke
Murphy
Neubauer
Peterson
Reavis
Rossiter
Schultz
Sorrell
Thomas
Van Diest
Von Seggern

Not voting, 3:

Adams, E. A.
Hall
Mueller

The motion was lost.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 14
L. B. No. 77
L. B. No. 30
L. B. No. 22
L. B. No. 66
L. B. No. 59
L. B. No. 52
L. B. No. 429
L. B. No. 488

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 40.

A bill for an Act relating to partnerships; to provide for the formation of limited partnerships; to prescribe procedure therefor; to enumerate the types of businesses that may be operated thereunder; to provide the rights, powers and liabilities of special and general partners; to provide procedure for the dissolution of such partnerships; to provide for the distribution of assets; to provide for the filing, cancellation and amending certificates of limited partnership; to provide that this Act shall be known as the Uniform Limited Partnership Act; to provide rules of construction for interpreting the provisions of said Act; to provide that existing limited partnerships shall continue to be governed by Sections 67-104 to 67-128, inclusive, Compiled Statutes of Nebraska, 1929; to provide procedure for the change of existing limited partnerships to limited partnerships provided for in this Act; to provide saving and validity clauses; to repeal Sections 67-104, 67-105, 67-106, 67-107, 67-108, 67-109, 67-110, 67-111, 67-112, 67-113, 67-114, 67-115, 67-116, 67-117, 67-118, 67-119, 67-120, 67-121, 67-122, 67-123, 67-124, 67-125, 67-126 and 67-127, Compiled Statutes of Nebraska, 1929.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 35:

Adams, E. A.
Adams, J. Jr.
Brady
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Gutoski
Hall
Hastings
Howard
Johnson
Johnston
Klaver
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 6:

Craven
Garber
Gross
Herrick
Schultz
Sorrell

Not voting, 2:

Ashmore
Lambert

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL NO. 5. Mr. Thomas moved to adopt the amendment offered on the forty-first day.

As a substitute, Mr. Ashmore moved that L. B. No. 5 be indefinitely postponed.

A record vote was requested.

Voting in the affirmative, 26:

Adams, E. A.	Doyle	Murphy	Sorrell
Adams, J. Jr.	Gantz	Neubauer	Thomas
Ashmore	Garber	Norman	Thornton
Brady	Howard	Peterson	Van Diest
Brodecky	Mekota	Reavis	Von Seggern
Carlson	Miller	Rossiter	Westley
Craven	Mueller		

Voting in the negative, 13:

Callan	Hastings	Johnston	Reed
Dunn	Herrick	Klaver	Schultz
Gutoski	Johnson	Mischke	Tvrdik
Hall			

Not voting, 4:

Carsten	Diers	Gross	Lambert

The substitute motion prevailed and the bill was indefinitely postponed.

GENERAL FILE

Mr. Mekota presiding.

LEGISLATIVE BILL NO. 11. Mr. Dunn moved that the amendments offered on the forty-third day be adopted.

As a substitute, Mr. Brady moved that all amendments be stricken to the bill. The substitute motion prevailed.

Referred to E and R for review.

LEGISLATIVE BILL NO. 33. Mr. Carlson offered the following General File amendment:

Insert in Section 3, page 4 of the mimeographed bill, after subdivision 1, in said Section 3, a subdivision to be numbered 2, and to read as follows: "(2) To pay as much for butterfat in second grade cream as is paid for butterfat in first grade cream, and the price paid for butterfat in second grade cream shall be at least one cent per pound less than that paid for butterfat in first grade cream."

The amendment was adopted with 23 ayes, 11 nays, 9 not voting.

Mr. Miller offered the following General File amendment:

In Sec. 3, Subsection (1) insert the following:

"It shall be unlawful to sell first grade products from second grade cream" and in Sec. 3 subsection (1) strike the following "(except when processing)".

This amendment was adopted.

Mr. Ashmore moved that the bill be laid over and that the amended bill as mimegraphed and amended be mimeographed; which motion prevailed.

Adjournment

At 12:15 p. m. on motion by Mr. Miller the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FORTY-SIXTH DAY

Legislative Chamber,
Lincoln, Nebraska, March 9, 1939.

The Legislature met at 9:03 a. m. Speaker Diers presiding.

Reverend Charles P. Lang of Lincoln led the Legislature in prayer.

The roll was called and all members were present except John Adams, Jr. who was excused.

Mr. Gross was excused at 9:30 a. m.

The Journal for the Forty-fifth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Carsten, one opposing L. B. No. 214; Mr. Gutoski, one favoring L. B. No. 67; Mr. Carlson, one, favoring L. B. No. 317; Mr. Von Seggern, one, opposing L. B. No. 29; Mr. Mueller, one, favoring L. B. No. 409; Mr. Tvrdik, two, favoring L. B. No. 125; all members, one, opposing all measures which divert gasoline taxes; Mr. Gutoski, one, favoring L. B. No. 372.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. No. 212, Hearing date changed to Thursday, March 23, 1939, 2:00 p. m.

L. B. No. 287, Thursday, March 23, 1939, 2:00 p. m.

L. B. No. 321, Thursday, March 23, 1939, 2:00 p. m.

L. B. No. 409, Thursday, March 23, 1939, 2:00 p. m.

L. B. No. 292, Tuesday, March 28, 1939, 2:00 p. m.

Appropriations

L. B. No. 471, Tuesday, March 14, 1939, 2:00 p. m.

Government

L. B. No. 345, Wednesday, March 15, 1939, 2:00 p. m.

L. B. No. 346, Wednesday, March 15, 1939, 2:00 p. m.

L. B. No. 347, Wednesday, March 15, 1939, 2:00 p. m.

L. B. No. 394, Wednesday, March 15, 1939, 2:00 p. m.

L. B. No. 453, Wednesday, March 15, 1939, 2:00 p. m.

Judiciary

L. B. No. 97, Monday, March 13, 1939, 2:00 p. m.

L. B. No. 98, Monday, March 13, 1939, 2:00 p. m.

L. B. No. 99, Monday, March 13, 1939, 2:00 p. m.

L. B. No. 236, Monday, March 13, 1939, 2:00 p. m.

L. B. No. 375, Monday, March 13, 1939, 2:00 p. m.

L. B. No. 442, Monday, March 13, 1939, 2:00 p. m.

L. B. No. 127, Wednesday, March 15, 1939, 2:00 p. m.

L. B. No. 284, Wednesday, March 15, 1939, 2:00 p. m.

L. B. No. 379, Wednesday, March 15, 1939, 2:00 p. m.

L. B. No. 399, Wednesday, March 15, 1939, 2:00 p. m.

L. B. No. 480, Wednesday, March 15, 1939, 2:00 p. m.

Labor and Public Welfare

L. B. No. 358 and L. B. No. 360 will be heard Wednesday, March 15, 1939 at 7:30 p. m. instead of March 14, 1939.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL NO. 455. Indefinitely postponed.

(Signed) Thomas, Chairman.

Public Works

LEGISLATIVE BILL NO. 339. Placed on General File.

(Signed) Howard, Chairman.

Agriculture

LEGISLATIVE BILL NO. 282. Placed on General File.

(Signed) Neubauer, Chairman.

Revenue

LEGISLATIVE BILL NO. 219. Indefinitely postponed.

LEGISLATIVE BILL NO. 247. Indefinitely postponed.

(Signed) Ashmore, Chairman.

Banking, Commerce and Insurance

LEGISLATIVE BILL NO. 112. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 112:

1. Amend the original bill, Section 1, pages 1 and 2 (the printed bill, pages 1 and 2, Section 1) by restoring all stricken matter and by striking all new matter commencing on page 3, Section 1, line 25 of the original bill (page 2, Section 1, line 19 of the printed bill) down to and including the word and punctuation "**law.**" on page 4, Section 1, line 73 of the original bill (page 3, Section 1, line 55 of the printed bill).

2. Amend the original bill, page 3, Section 1, line 25 (the printed bill, page 2, Section 1, line 19) by inserting after the word "them" therein the following:

"**. (b) Vehicles used for exclusive hauling of livestock. (c)**".

3. Amend the original bill, page 3, Section 1, line 47 (the printed bill, page 2, Section 1, line 35) by inserting after the word "work" therein the following:

"**. (f) Those using such vehicles exclusively within the limits of a city or village in this state who are bona fide residents thereof.**".

4. Amend the original bill, pages 2, 3 and 4, Section 1 (the printed bill, pages 1, 2 and 3, Section 1) by renumbering the lettered subsections therein to comply with the foregoing amendments.

5. Amend the original bill, pages 5 and 6 (the printed bill, pages 3 and 4) by striking all of Section 3 thereon.

6. Amend the original bill, page 6, Section 4, lines 9 and 10 (the printed bill, page 4, Section 4, line 7) by striking the words and punctuation "One hereof." and by inserting in lieu thereof the following:

"1 hereof. No license shall be issued to an itinerant merchant or remain in force unless such merchant complies with the reasonable rules and regulations as the department shall prescribe governing the filing and approval of surety bonds, policies of insurance, qualifications as self-insurer or other securities or agreements, in such reasonable amounts as the department may require, conditioned to pay within the amount of such surety bonds, policies of insurance, qualifications as self-insurer, or other securities or agreements, when final judgment is recovered against such itinerant merchant for bodily injuries to or the death of any person resulting from the negligent operation, maintenance or use of any vehicle operated under such license, or for loss or damage to property or others.".

7. Amend the original bill, page 6 (the printed bill, page 4) by striking all of Section 5 thereon and by inserting in lieu thereof the following:

"Sec. 4. That said original Secs. 77-1451 and 77-1458, Comp. St. Supp., 1937, are hereby repealed.".

8. Renumber the sections of said bill so as to conform with the third preceding amendment.

9. Amend the original bill, pages 1 and 2, title (the printed bill, page 1, title) by striking all of said title after the word "ACT" in line 2 of the original bill (line 2 of the printed bill) and by inserting in lieu thereof the following:

" to amend Secs. 77-1451 and 77-1458, Comp. St. Supp., 1937, relating to revenue; to define itinerant merchants; to prescribe the exemptions to be granted itinerant merchants using vehicles for the transportation of grain, fruits, vegetables, hay, livestock or other agricultural products produced by them; to provide for the exemption to be granted for vehicles used for the exclusive hauling of livestock; to provide for the levy and collection of an annual occupation tax per vehicle used by itinerant merchants in their said business; to provide that the Department of Agriculture and Inspection shall require applicants for and recipients of licenses as itinerant merchants hereunder to comply with reasonable rules and regulations with respect to the filing and approval of surety bonds, policies of insurance, qualifications as a self-insurer or other securities or agreements, in such reasonable amounts as the department may determine for the protection of the public; to repeal said original sections; and to declare an emergency."

LEGISLATIVE BILL NO. 274. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 274:

1. Amend the original bill, page 1, title, line 3 (the printed bill, page 1, title, line 2) by inserting immediately after the figures "1929" therein the following:

", relating to negotiable instruments; to expedite and to simplify the collection and payment by banks of checks and other instruments for the payment of money; and to repeal said original section".

2. Amend the original bill, page 1, Section 1 (the printed bill, page 1, Section 1) by striking all of lines 1 and 2 of said section of the original bill (lines 1 and 2 of the said printed bill) and by inserting in lieu thereof the following:

"Section 1. That Section 62-1802, Compiled Statutes of Nebraska, 1929, be amended to read as follows:".

3. Amend the original bill, page 1, (the printed bill, page 1) by striking all of Section 2 therein and by inserting in lieu thereof the following:

"Sec. 2. That said original Section 62-1802, Compiled Statutes of Nebraska, 1929, is hereby repealed.".

LEGISLATIVE BILL NO. 86. Placed on General File with amendments.

(Standing Committee amendments mimeographed in lieu of printing in Journal)

Enrollment and Review

Presented to Governor for Approval

Wednesday, March 8, 1939, at 11:45 a. m.

L. B. No. 488
L. B. No. 429
L. B. No. 14
L. B. No. 22
L. B. No. 30
L. B. No. 52
L. B. No. 59
L. B. No. 66
L. B. No. 77

Correctly Engrossed

L. B. No. 64
L. B. No. 72
L. B. No. 138
L. B. No. 35
L. B. No. 85
L. B. No. 93
L. B. No. 34

LEGISLATIVE BILL NO. 111. Placed on Select File with amendments.

E and R amendments to L. B. No. 111:

I. Amend the General File amendments, page 1, paragraph 1, lines 2 and 3 by striking therefrom "between sunrise and sunset and fifty miles per hour between sunset and sunrise" and by inserting in lieu thereof the following:

"between the hours of sunrise and sunset and fifty miles per hour between the hours of sunset and sunrise".

II. Amend the General File amendments, page 1, paragraph 1, lines 5, 6 and 7 by striking therefrom "between the hours of sunrise and sunset and fifty miles per hour between the hours between sunset and sunrise" and by inserting in lieu thereof the following:

"between the hours of sunrise and sunset and fifty miles per hour between the hours of sunset and sunrise".

III. Amend the original bill, page 2, Section 1, line 20 by striking the syllable "merical" and by inserting in lieu thereof the syllable "mercial".

IV. Amend the original bill, page 4, Section 2, line 43 by striking therefrom the first word "illuninated" therein and by inserting in lieu thereof the word "illuminated".

V. Amend the General File amendments, page 1, paragraph 2, line 2 by striking the word "forty" and by inserting in lieu thereof the word **"forty".**

VI. Amend the General File amendments, page 1, paragraph 3, lines 2, 3 and 4 by striking therefrom the words "between sunrise and sunset and not exceeding fifty miles per hour between sunset and sunrise" and by inserting in lieu thereof the following:

"Between the hours of sunrise and sunset and not exceeding fifty miles per hour between the hours of sunset and sunrise".

VII. Amend the original bill, page 1, title, line 8 (the printed bill, page 1, title, line 5) by inserting after the word and punctuation "hour;" therein the following:

"To prohibit the operation of any vehicle towing a trailer or semi-trailer or of a freight-carrying vehicle, if the gross weight of said freight-carrying vehicle towing a trailer or semi-trailer and any load thereon is more than five tons at a speed exceeding forty miles per hours;".

VIII. Amend the General File amendments, page 1, paragraph 4, line 2 by striking "111" therein and by inserting in lieu thereof **"111"**.

IX. Amend the original bill, page 1, Section 1, line 2 (the printed bill, page 1, Section 1, line 1) by inserting the punctuation "," after the figures "1937".

X. Amend the original bill, page 4, Section 2, line 37 (the printed bill, page 3, Section 2, line 30) by striking the word "and" following the word "thereof" and before the word "erected", and insert in lieu thereof the word **"are"**.

LEGISLATIVE BILL NO. 23. Placed on Select File with amendments.

E and R amendments to L. B. No. 23:

I. Amend the original bill, page 2, Section 1, lines 31 and 32 by striking the word "percent" therein and by inserting in lieu thereof the words "per cent".

II. Amend the General File amendments, paragraph 1, line 2 by striking therefrom the word **"courthouse"** and by inserting in lieu thereof the words **"court house"**; and in line 3 of said paragraph 1 strike the word "Jail" and insert in lieu thereof the word "jail".

III. Amend the General File amendments, paragraph 1, line 3 by striking therefrom the words "or repair" therein and by inserting in lieu thereof the words **"or repair"**.

IV. Amend the General File amendments, page 1, paragraph 2, line 3 by striking therefrom the word "three" and by inserting in lieu thereof the word **"three"**.

V. Amend the General File amendments, page 1, paragraph 3, line 2 by striking therefrom "except" and by inserting in lieu thereof the word **"except"**.

VI. Amend the original bill, page 4, Section 1, line 91 (the printed bill, page 3, Section 1, line 71) by striking therefrom the word **"than"** and by inserting in lieu thereof the word **"except"**.

LEGISLATIVE BILL NO. 24. Placed on Select File with amendments.

E and R amendments to L. B. No. 24:

I. Amend the original bill, page 2, Section 1, line 12 (the printed bill, page 1, Section 1, line 9) by inserting the punctuation "," after the word "fund" and before the word "prior"; and the original bill, page 2, Section 1, line 13 (the printed bill, page 1, Section 1, line 10) by inserting the punctuation "," after the word "August" and before the word "in".

LEGISLATIVE BILL NO. 26. Placed on Select File with amendments.

E and R amendments to L. B. No. 26:

I. Amend the original bill, page 2, Section 1, line 9 (the printed bill, page 2, Section 1, line 8) by striking the word **"pension"** and by inserting in lieu thereof the word **"pensions."**

II. Amend the original bill, page 4, Section 2, line 49 (the printed bill, page 3, Section 2, line 38) by striking the words **"summary thereof"**, and the original bill, page 4, Section 2, line 53 (the printed bill, page 3, Section 2, line 41) by striking the word "summary", and insert in lieu thereof, in each place designated, the words **"budget document"**.

III. Amend the original bill, page 4, Section 2, line 56 (the printed bill, page 3, Section 2, line 43) by striking the words and punctuation **"budgets. Such budget"** and by inserting in lieu thereof the following:

"budget documents. Said budget document"

IV. Amend the original bill, page 5, Section 3, line 9 (the printed bill, page 3, Section 3, line 7) by inserting the word **"document"** after the word "budget" and before the word "in".

V. Amend the original bill, page 5, Section 3, line 10 (the printed bill, page 3, Section 3, line 8) by striking the letter and punctuation **"b."** following the figure **"2"** and preceding the punctuation **","**.

VI. Amend the original bill, pages 5 and 6, Section 3, lines 14, 17, 18, 20, 23, 35 (the printed bill, page 4, Section 3, lines 11, 13, 15, 16, 19, 27), and the original bill, page 6, Section 4, line 9 (the printed bill, page 4, Section 4, line 7) and the original bill, page 7, Section 5, line 4 (the printed bill, page 5, Section 5, line 3) by inserting the word **"document"** following the word "budget" in each place designated.

VII. Amend the original bill, page 10, Section 5, line 99 (the printed bill, page 7, Section 5, line 75) by striking the letter and punctuation **"b."** following the figure **"2"** and before the punctuation ",".

VIII. Amend the original bill, page 11, Section 6, line 23 (the printed bill, page 7, Section 6, line 19) by striking the word **"funds"** following the word **"of"** and before the word **"on"**, and the original bill, page 11, Section 6, line 27 (the printed bill, page 7, Section 6, line 22) by striking the word **"funds"**, following the word **"the"** and before the word **"arising"**, and inserting in lieu thereof the word **"money"** in each place designated.

IX. Amend the original bill, page 12, Section 9, line 1 (the printed bill, page 8, Section 9, line 1) by striking the word **"Sections"** therein and by inserting in lieu thereof the abbreviation and punctuation "Secs.".

X. Amend the General File amendment, page 1, paragraph 2, line 9 by striking therefrom the word "Section" therein and by inserting in lieu thereof the abbreviation and punctuation **"Sec."**.

XI. Amend the original bill, page 7, Section 5, line 24 (the printed bill, page 5, Section 5, line 18) by inserting the punctuation "," after the figures **"1939"** and before the word **"and"**; and the original bill, page 8, Section 5, line 33 (the printed bill, page 5, Section 5, line 25 after the word **"may"** and before the word **"at"**, the original bill, page 8, Section 5, line 34 (the printed bill, page 5, Section 5, line 25) after the word **"August"** and before the word **"reduce"**, by inserting the punctuation "," in each place designated.

LEGISLATIVE BILL NO. 25. Placed on Select File with amendments.

E and R amendments to L. B. No. 25:

I. Amend the original bill, page 1, line 1 of the Introduction, by striking the punctuation "." after the word "Hayes", and inserting the punctuation "," in lieu thereof.

(Signed) Craven, Chairman.

MOTION—Not to Concur in Report

Mr. President: I move that we do not concur in the Standing Committee Report on L. B. No. 475 and that it be placed on General File. (Signed) Gutoski.

The motion prevailed with 22 ayes, 10 nays, 11 not voting.

L. B. No. 475 placed on General File.

SELECT COMMITTEE REPORT

Special Committee on Social Security Legislation

After an exchange of telegrams with Washington, the following telegram was received from Fred M. Wilcox, Regional Director at Minneapolis:

March 8, 1939.

Neil C. Vandemoer
Dir. Public Assistance
Lincoln, Nebraska

Following wire received March 7 from Jane M. Hoey, Director Public Assistance Bureau, Social Security Board, "Nebraska Bill 238 appears to limit scope of state agency's rulemaking authority over counties to two subjects specified and if so interpreted would not meet requirements. Extremely important Nebraska Agency have adequate authority to supervise public assistance programs in accordance with federal act. Will delay fourth quarter grant pending further report on Legislative action." In view of grants complication indicated in Hoey telegram, urge you advise us immediately of possibility of Legislature amending Bill 238 substituting for lines 31, 32 and 33 to period after word "administration" the following language, "The counties and state department shall establish and maintain a merit system for personnel in such state and county departments"

Fred M. Wilcox, Regional Director.

The committee has requested through the State Assistance Director, that a representative of the Social Security Board, at Washington, meet with the committee Monday morning, March 13, to furnish such other information relative to pending social security legislation as may seem necessary for the information of the Legislature. It is the opinion of the committee, after having received the above telegram, that it will be necessary for the Legislature to pass Legislative Bill No. 238, with the suggested amendment, if future grants will be forthcoming.

(Signed) Schultz, Chairman.
Rossiter
Murphy

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 17. Intergovernmental Cooperation.

WHEREAS, By action at this session of the Legislature five members thereof were selected to serve on the Commission of Intergovernmental Cooperation, and

WHEREAS, the Council of State Governments has called a national conference on Interstate Trade Barriers to be held in the city of Chicago, state of Illinois, April 5, 6, and 7, 1939, and

WHEREAS, Joseph C. Reavis, chairman of your legislative committee serving with the Commission of Intergovernmental Cooperation has been requested on behalf of the Council of State Governments to serve as a member of its committee on agriculture for said meeting, and

WHEREAS, it is the unanimous opinion of your committee that the scheduled subjects for discussion are of sufficient importance to the State of Nebraska and to this Legislature to warrant representation thereat; therefore be it

RESOLVED that Joseph C. Reavis, a member of the Legislature and chairman of the Commission of Intergovernmental Cooperation for the State of Nebraska be authorized and delegated to attend said meeting and be reimbursed out of public funds for all necessary expenses incident thereto.

(Signed) A. L. Miller
Acting Chairman
Daniel Garber
Edwin Schultz
Amos Thomas

Unanimous consent was granted to consider the resolution at once.

Mr. Miller moved that the resolution be adopted.

The motion prevailed with 31 ayes, no nays, 12 not voting.

MOTION—To Place at Head of General File

Mr. President: I move that L. B. No. 203 be placed at the head of General File. Brodecky.

The motion prevailed.

MOTION—To Place at Head of General File

Mr. President: I move that L. B. No. 490 be placed at the head of General File. Miller.

The motion prevailed.

GENERAL FILE

Mr. Mischke presiding.

LEGISLATIVE BILL NO. 490. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 203. Standing Committee amendments as found in the Legislative Journal for the Forty-third Day were adopted

Referred to E and R for review.

LEGISLATIVE BILL NO. 33. The Second Unofficial (mimeographed) Copy was read and considered.

The word "manufacturers" was inserted in Section 3, line 8, following the word "products", by unanimous consent.

Mr. Reed moved to refer the bill to E and R for review.

Mr. Mekota offered a substitute motion, as follows:

That Sec. 3, L. B. 33, be amended by striking the words beginning in line 5—"It shall be unlawful to sell first grade products manufactured from second grade cream".

The substitute motion prevailed.

Mr. Reed moved to refer to E and R for review.

Mr. Herrick offered a substitute motion, which was lost.

Mr. Ashmore offered a substitute motion, which was lost.

Mr. Reed moved that L. B. No. 33 as amended by mimeographed Second Unofficial Copy be advanced to Enrollment and Review for review as amended; which motion prevailed.

LEGISLATIVE BILL NO. 140. Mr. Schultz moved to refer the bill to E and R for review.

As a substitute, Mr. Craven offered the following amendment:

That L. B. No. 140 be amended by striking out line 7 of the printed bill beginning with the word "provided" and continuing with lines 8 and 9 to and including the word "board."

Which amendment was adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 109. Referred to E and R for review.

LEGISLATIVE BILL NO. 3. Mr. Johnson offered the following amendment, which was adopted:

Amend Section 1 by striking the words "The chief officer, subordinate officers, captains, sergeants, patrolmen and other employees" and substitute the words "all officers and patrolmen" therefor.

Mr. Carlson offered the following amendment, which was adopted:

Amend the Standing Committee amendments, mimeographed, page 2, Section 4, line 6 by striking the words "any person on" and by inserting in lieu thereof the following: **"persons or vehicles upon".**

Mr. Peterson offered the following amendment, which was adopted:

That line nine (9) of mimeographed amendments, Sec. 3 be amended by inserting the words "or amber" after the word green so that it will read "a green or amber light."

Mr. Thomas offered the following amendment, which was adopted:

Amend by striking from Standing Committee amendments Sec. 4 subsection 9, page 3 after the word "output" the following: ", that is to say, all lamps shall show a bright light at all times and no dim or weak lights shall be permitted or allowed."

Approved by Governor

March 8, 1939.

To the Members of the Legislature:

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bills, viz:

L. B. No. 14
L. B. No. 22
L. B. No. 30
L. B. No. 66
L. B. No. 59
L. B. No. 77
L. B. No. 488

Respectfully submitted,

(Signed) Otho K. De Vilbiss
Secretary to the Governor.

Adjournment

At 12:05 p. m. on motion by Mr. Garber the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FORTY-SEVENTH DAY

Legislative Chamber,
Lincoln, Nebraska, March 10, 1939.

The Legislature met at 9:05 a. m. Speaker Diers presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Forty-sixth Day was approved.

Mr. Brady was excused at 9:30 on account of illness.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Reavis, one, opposing any diversion of gasoline taxes from the Highway Department; Mr. Howard, one, requesting an investigation of the Department of Roads and Irrigation; Mr. Gross, one, opposing L. B. No. 74 and L. B. No. 75; Mr. Peterson, one, endorsing the adoption of the Uniform Vehicle Code.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. No. 153, Monday, March 20, 1939, 2:00 p. m.

L. B. No. 248, Monday, March 20, 1939, 2:00 p. m.

L. B. No. 249, Monday, March 20, 1939, 2:00 p. m.

L. B. No. 251, Monday, March 20, 1939, 2:00 p. m.

L. B. No. 254, Monday, March 20, 1939, 2:00 p. m.

Public Works

L. B. No. 467, Wednesday, March 15, 1939, 2:00 p. m.

L. B. No. 457, Friday, March 17, 1939, 2:00 p. m.

L. B. No. 386, Friday, March 17, 1939, 2:00 p. m.

L. B. No. 419, Friday, March 17, 1939, 2:00 p. m.

L. B. No. 322, Friday, March 17, 1939, 2:00 p. m.

Revenue

L. B. No. 431, Tuesday, March 21, 1939, 2:00 p. m.

L. B. No. 118, Thursday, March 23, 1939, 2:00 p. m.

L. B. No. 187, Thursday, March 23, 1939, 2:00 p. m.

L. B. No. 311, Thursday, March 23, 1939, 2:00 p. m.

L. B. No. 387, Tuesday, March 28, 1939, 2:00 p. m.

L. B. No. 405, Tuesday, March 28, 1939, 2:00 p. m.

L. B. No. 452, Tuesday, March 28, 1939, 2:00 p. m.

L. B. No. 456, Thursday, March 30, 1939, 2:00 p. m.

L. B. No. 470, Thursday, March 30, 1939, 2:00 p. m.

Public Health and Miscellaneous Subjects

L. B. No. 371, Wednesday, March 15, 1939, 7:30 p. m.

L. B. No. 417, Wednesday, March 15, 1939, 7:30 p. m.

L. B. No. 418, Wednesday, March 15, 1939, 7:30 p. m.

L. B. No. 422, Wednesday, March 15, 1939, 7:30 p. m.

L. B. No. 469, Wednesday, March 15, 1939, 7:30 p. m.

Hearing on these bills was originally set for Friday March 10, but is now carried over until above dates.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL NO. 438. Indefinitely postponed.

LEGISLATIVE BILL NO. 446. Indefinitely postponed.

LEGISLATIVE BILL NO . 1. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 1:

1. Amend the original bill, page 2, Section 1, line 17 (the printed bill, page 1, Section 1, line 15) by inserting after the word **"fuel"** and immediately preceding the word **"sold"** therein the following:

", except for use in aircraft,".

2. Amend the printed bill, page 1, Section 1, line 15 by striking therefrom ";5." and by inserting in lieu thereof the following:

". ; 5.".

3. Amend the original bill, page 2, Section 1, line 18 (the printed bill, page 1, Section 1, line 17) by striking therefrom **"10%"** and by inserting in lieu thereof the following:

"ten per centum, by volume thereof,".

4. Amend the original bill, page 2, Section 1, line 20 (the printed bill, page 1, Section 1, line 18) by inserting after the word **"States"** therein the following:

": Provided, that until the supply of Ethyl alcohol is sufficient to provide the required minimum blend of ten per centum, the Department of Agriculture and Inspection shall, by appropriate regulations, determine the per centum by volume of such alcoholic content, in proportion to the amount of such alcohol available for blending by dealers and producers of motor vehicle fuel".

5. Amend the original bill, page 2, by striking all of Section 2 thereon and by inserting in lieu thereof the following:

"Sec. 2. That said original Sec. 66-306, Comp. St. Supp., 1937, is hereby repealed.

Sec. 3. If any clause, sentence, paragraph or part of this Act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof, directly involved in the controversy in which such judgment shall have been rendered.".

6. Amend the original bill, page 2, Section 1, (the printed bill, page 1, Section 1) by striking all of lines 1 and 2 of said section in the original bill (lines 1 and 2 of Section 1 of said printed bill) and by inserting in lieu thereof the following:

"Section 1. That Sec. 66-306, Comp. St. Supp., 1937, be amended to read as follows: " .

7. Amend the original bill, page 1, title (the printed bill, page 1, title) by striking all of said title commencing with the word "Act" in line 1 of the original bill (line 2 of the printed bill) and by inserting in lieu thereof the following:

"ACT to amend Sec. 66-306, Comp. St. Supp., 1937, relating to motor vehicle fuel and specifications thereof; to require that all motor vehicle fuel sold in the state of Nebraska after January 1, 1940 contain a blend of not less than ten per centum of Ethyl alcohol manufactured from agricultural products produced wholly in the United States; that until supply of Ethyl alcohol is available to provide the required ten per centum blend, the Department of Agriculture and Inspection shall determine the per centum of the alcohol to be used, which shall be in proportion to amount of alcohol available for purchase by dealers and producers of motor vehicle fuel; to repeal said original section; and to provide a saving clause."

LEGISLATIVE BILL NO. 272. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 272:

1. Amend the original bill, page 2, Section 1, line 9 (the printed bill, page 1, Section 1, line 7) by striking therefrom the word "twenty-five" and by inserting in lieu thereof the word "fifteen".

2. Amend the original bill, page 2, Section 1, line 10 (the printed bill, page 1, Section 1, line 8) by striking the word "fifty" and by inserting in lieu thereof the word "thirty".

3. Amend the original bill, page 2, Section 1, line 10 (the printed bill, page 1, Section 1, line 8) by inserting the word "registered" after the word "any" and immediately preceding the word "purebred".

4. Amend the original bill, page 2, Section 1 (the printed bill, page 1, Section 1) by striking that part of said section commencing with the punctuation and word "; provided," in line 15 of the original bill (line 12 of the printed bill) down to and including the word and punctuation "however," in line 19 of the original bill (line 15 of the printed bill) and by inserting in lieu thereof the following:

"**: Provided,**".

5. Amend the original bill, page 3, Section 2, lines 1 and 2 (the printed bill, page 2, Section 2, lines 1 and 2) by striking therefrom the punctuation and words as follows:

", including calves, feeder cows and feeder heifers and feeder bulls".

6. Amend the original bill, page 3, Section 2, line 7 (the printed bill, page 2, Section 2, lines 5 and 6) by striking therefrom the punctuation and word ". Such" therein and by inserting in lieu thereof the following:

"or such".

7. Amend the original bill, page 3, Section 2, line 10 (the printed bill, page 2, Section 2, line 7) by striking the word "all" therein.

8. Amend the original bill, page 3, Section 2, line 10 (the printed bill, page 2, Section 2, line 8) by striking therefrom the following:

"1-25;".

9. Amend the original bill, page 3, Section 2, line 13 (the printed bill, page 2, Section 2, line 10) by inserting after the word "origin" therein the following:

"or such cattle may enter the state under quarantine regulations and tested within thirty days".

(Signed) Neubauer, Chairman.

Government

LEGISLATIVE BILL NO. 327. Placed on General File.

LEGISLATIVE BILL NO. 338. Placed on General File.

LEGISLATIVE BILL NO. 410. Placed on General File.

(Signed) Von Seggern, Chairman.

Revenue

LEGISLATIVE BILL NO. 288. Placed on General File.

LEGISLATIVE BILL NO. 263. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 263:

1. Amend the original bill, page 4, section 1, line 55 (the printed bill, page 2, section 1, lines 39 and 40) by striking the words "and less than two hundred thousand".

2. Amend the original bill, page 1, title, lines 9 and 10 (the printed bill, page 1, title, lines 5 and 6) by striking the words "and less than two hundred thousand".

(Signed) Ashmore, Chairman.

Banking, Commerce and Insurance

LEGISLATIVE BILL NO. 80. Indefinitely postponed.

LEGISLATIVE BILL NO. 147. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 147:

1. Amend the original bill, page 6, Section 1, line 272 (the printed bill, page 8, Section 1, line 240) by inserting after the word and punctuation "corporation." therein the following:

"13. In tax sale certificates of the several counties of the State of Nebraska, issued by county treasurers, pursuant to Sections 77-2017 and 77-2122, Compiled Statutes of Nebraska, 1929.".

2. Amend the original bill, page 6, Section 1, line 272 (the printed bill, page 8, Section 1, line 240) by striking the figures "13" therein and by inserting in lieu thereof the figures **"14"**.

3. Amend the original bill, page 6, Section 2 (the printed bill, page 8, Section 2) by striking that part of said section commencing with the word "Section" in line 1 of the original bill (line 1 of the printed bill) down to and including the word and punctuation "Nebraska," in line 3 of the original bill (line 3 of the printed bill) and by inserting in lieu thereof the following:

"Sec. 44-310, Comp. St. Supp.,".

4. Amend the original bill, page 6, Section 3, line 2 (the printed bill, page 8, Section 3, line 2) by inserting the punctuation "," after the word "effect" and before the word "from" therein.

5. Amend the original bill, page 2, Section 1, lines 70 and 73 (the printed bill, page 3, Section 1, lines 58 and 60) by striking therefrom **"and/"** wherever the same appears in each of said lines respectively.

6. Amend the original bill, page 1, Section 1 (the printed bill, page 1, Section 1) by striking that part of said section commencing with the second word "Section" in line 1 of the original bill (line 1 of the printed bill) therein down to and including the word and punctuation "Nebraska," in line 3 of the original bill (line 2 of the printed bill) therein and by inserting in lieu thereof the following:

"Sec. 44-310, Comp. St. Supp.,".

7. Amend the original bill, page 1, title (the printed bill, page 1, title) by striking all of said title commencing with the word "Section" in line 2 of the original bill (line 2 of the printed bill) therein and by inserting in lieu thereof the following:

"Sec. 44-310, Comp. St. Supp., 1937, relating to insurance; to prescribe legal investments for domestic insurance companies; to repeal said original section; and to declare an emergency.".

8. Amend the original bill, page 6, Sections 2 and 3 thereon by striking the first word "Section" in each of said lines respectively and by inserting in lieu thereof the abbreviation and punctuation "Sec.".

(Signed) Hall, Chairman.

Claims and Deficiencies

LEGISLATIVE BILL NO. 420. Placed on General File.

(Signed) Ernest A. Adams, Chairman.

Labor and Public Welfare

LEGISLATIVE BILL NO. 445. Placed on General File.

LEGISLATIVE BILL NO. 70. Indefinitely postponed.

LEGISLATIVE BILL NO. 71. Placed on General File.

(Signed) Dunn, Chairman.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 14. Referred to Committee on Public Works

SELECT FILE

LEGISLATIVE BILL NO. 111. E and R amendments as found in the Legislative Journal for the Forty-sixth Day were adopted.

LEGISLATIVE BILL NO. 23. E and R amendments as found in the Legislative Journal for the Forty-sixth Day were adopted.

LEGISLATIVE BILL NO. 24. E and R amendments as found in the Legislative Journal for the Forty-sixth Day were adopted.

Unanimous consent was granted to consider the following Specific amendment offered by Mr. Ashmore:

Amend Section 1, line 11 of the printed bill by inserting after the word "budget" the following: "except there be money in the treasury to the credit of the proper fund for the payment of the same."

The amendment was adopted.

LEGISLATIVE BILL NO. 26. E and R amendments as found in the Legislative Journal for the Forty-sixth Day were adopted.

Unanimous consent was granted to consider the following amendment offered by Mr. Mekota:

Amend by striking out the words "once each week for" in line 28 of Section 3 thereof.

The amendment was adopted.

Motion was made by Mr. Ashmore to suspend the rules to consider the following amendments:

Amend Section 5, Page 5, line 36 of the printed bill by striking therefrom the words "of one-half".

Amend Section 5, page 6, line 41 of the printed bill by striking therefrom the words "of one-half".

Amend the standing committee amendment to Section 5, page 6, of the printed bill, lines 46 to 52 inclusive, by striking from the next to the last line of said amendment "paid into such" and inserting in lieu thereof the following words "transferred from the delinquent tax fund to the".

The motion prevailed with 34 ayes, no nays, 9 not voting.

The amendments were adopted.

LEGISLATIVE BILL NO. 25. E and R amendment as found in the Legislative Journal for the Forty-sixth Day was adopted.

Referred to Enrollment and Review for Engrossment.

L. B. No. 111
L. B. No. 24
L. B. No. 25
L. B. No. 23
L. B. No. 26

GENERAL FILE

Speaker Diers presiding.

The four appropriation bills at the head of General File were passed over.

LEGISLATIVE BILL NO. 3. The amended Standing Committee amendments as mimeographed and as mentioned in the Legislative Journal for the Thirty-third Day were adopted.

Mr. Peterson offered the following amendment, which was adopted:

That Sec. 4 (39-1174) page 3, 4th line from bottom, Committee's amendments be amended by striking the words "twenty-four" and inserting the word "fifteen".

Mr. Garber moved that L. B. No. 3 be laid over until Monday and that all amendments be incorporated in a mimeographed copy and placed on the desks.

The motion prevailed.

LEGISLATIVE BILL NO. 90. Passed over.

LEGISLATIVE BILL NO. 172. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Thirty-third day were adopted.

The following amendment was offered by Mr. Craven:

That L. B. No. 172 be amended by inserting the following words, following the word "session" in line 8 of Sec. 3 of printed bill; ", and until said rules are enacted by the Legislature" and striking out the last sentence in Sec. 3 of the printed bill.

Laid over.

LEGISLATIVE BILL NO. 15. Standing Committee amendments numbered 2, 3 and 4 as found in the Legislative Journal for the Thirty-third Day were adopted.

General File amendment as found in the Legislative Journal for the Thirty-ninth Day was adopted.

John Adams, Jr. offered the following amendment, which was adopted:

Amend the title to conform with the amendment adopted to Section 2 by Adams.

Referred to E and R for review.

MOTION—To Ask Governor to Return Bill

Mr. President: I move that the Governor be requested to return Legislative Bill No. 429 to the Legislature. (Signed) Schultz, Murphy, Rossiter.

The motion prevailed.

MOTION—To Reconsider Action and Refer

Mr. President: I move that we reconsider our action on L. B. No. 143 and that it be referred to the standing committee for amendments. (Signed) Thornton.

A constitutional majority having failed to vote in the affirmative, the motion was lost with 12 ayes, 11 nays, 10 not voting.

Recess

At 12:12 p. m. on motion by Mr. Carsten the Legislature recessed until 4:30 p. m.

After Recess

The Legislature reconvened at 4:40 p. m. Speaker Diers presiding.

The roll was called and all members were present except Mr. Brady who was excused.

MOTION—To Reconsider Action on L. B. No. 429

Mr. President: I move to reconsider our action on L. B. No. 429. (Signed) Schultz, Murphy, Rossiter.

The motion prevailed with 40 ayes, no nays, 3 not voting.

MOTION—To Place on Select File

Mr. President: I move that Legislative Bill No. 429 be placed on Select File for specific amendments. (Signed) Schultz, Murphy, Rossiter.

The motion prevailed unanimously.

SELECT FILE

LEGISLATIVE BILL NO. 429.

The following amendments were offered by Schultz, Murphy and Rossiter:

1. Strike Subsec. 5, 6, and 7, including the word "balance" line 16, page 2, Final Form on Third Reading, First, Bill No. 429, and insert the following: "(5) The balance remaining in said assistance fund, after deducting the above items, 1 to 4, inclusive, shall be used for the payment of Old Age, Blind, and Aid to Dependent Children Assistance grants as provided in the next succeeding section."

2. On line 45, page 2, beginning with the word "upon", strike the balance of that section, and insert in lieu thereof: "as provided for under item 5 above."

3. Section 2, line 3, page 3, following the word "the", strike "percentages of the".

4. In Section 2, page 3, line 9, beginning with the word "total", strike the balance down to and including the word "period", line 12, and insert in lieu thereof: "total need of the county bears to the total need of the state", and then strike the period, line 13, and the balance of said Section, and insert: "and in proportion to the funds available for this purpose.".

5. Strike the title and insert the following: "FOR AN ACT to amend Secs. 68-324 and 68-325, Comp. St. Supp., 1937, relating to the State Assistance Fund; to determine the allocation of the State Assistance Fund on the basis of need to the several counties in the proportion which the total amount of need for assistance in each county bears to the total amount of need for assistance in the state: to repeal original sections; and to declare an emergency.".

Amend Final Form on Third Reading, First, page 1, Section 1, lines 6 and 7 by striking therefrom "**, and the unexpended balance, if any, shall revert to the State Assistance Fund**".

The amendments were adopted unanimously.

Referred to E and R for engrossment.

The Legislature was at ease for ten minutes.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL NO. 429. Correctly engrossed.
(Signed) Craven, Chairman.

Invitation

Through Chancellor C. S. Boucher an invitation was extended by the University of Nebraska to the members of the Legislature and their wives to attend a production of the comedy Tovarich by the University Players on Friday evening March 17th.

Adjournment

At 5:19 p. m. on motion by Mr. Reavis the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FORTY-EIGHTH DAY

Legislative Chamber,
Lincoln, Nebraska, March 13, 1939

The Legislature met at 9:00 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Brady and Mr. Johnston who were excused.

The Journal for the Forty-seventh Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Klaver, one, opposing L. B. No. 67, one favoring L. B. No. 125; Mr. Mueller, one, favoring L. B. No. 185; Mr. Hall, one, favoring L. B. No. 148 and L. B. No. 149; Mr. Van Diest, one opposing L. B. No. 159; Mr. Mueller, one, favoring L. B. No. 235 and opposing L. B. No. 377.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. No. 115, Friday, March 17, 1939, 2:00 p. m.

L. B. No. 116, Friday, March 17, 1939, 2:00 p. m.

L. B. No. 117, Friday, March 17, 1939, 2:00 p. m.

L. B. No. 352, Friday, March 17, 1939, 2:00 p. m.

L. B. No. 376, Friday, March 17, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL NO. 340. Placed on General File.

LEGISLATIVE BILL NO. 332. Placed on General File.

LEGISLATIVE BILL NO. 318. Placed on General File.

LEGISLATIVE BILL NO. 105. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 105:

1. Amend the original bill, pages 1 and 2 (the printed bill, page 1) by striking all of Section 1 thereon and by inserting in lieu thereof the following:

"Section 1. It shall hereafter be unlawful for the seller of any grain to conceal the existence of any lien, mortgage or other incumbrance upon said grain sold or offered for sale to the buyer of any grain. The said seller, when requested by said buyer, shall furnish to said buyer a written statement of the ownership of said grain; and said statement shall be substantially in the following form:

'SELLER'S STATEMENT OF OWNERSHIP
OF
GRAIN SOLD OR OFFERED FOR SALE

Date........................

.... Residence ....
(Name of Seller) (Address in full)

hereby states that ....is the lawful
(Name of Seller)

owner of the following described grain: ....
(Description and

....
quality of grain)

The following is a full statement of all liens, mortgages or incumbrances on said grain:

Nature	Held by	Address	Amount
....	....	....	....
....	....	....	....

(Note: If there are no liens, mortgages or incumbrances, that fact must be stated.)

....

(Witness) Signature of Seller.'

Any person who, as seller of any grain, shall make any representation of any material fact in said written statement, concerning the existence of any lien, mortgage or other incumbrance on said grain sold or offered for sale, knowing such representation to be false, shall, if the value of the grain sold or offered for sale be thirty-five dollars or upwards, be deemed guilty of a felony, and, upon conviction thereof, shall be imprisoned in the penitentiary not more than five years nor less than one year; but if the value of the grain sold or offered for sale be less than thirty-five dollars, the person so selling or offering said grain for sale, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not exceeding one hundred dollars or be imprisoned in the jail of the county not exceeding thirty days; and any false representation contained in said written statement shall be **prima facie** evidence of intent to violate the provisions of this section."

2. Amend the original bill, page 1, title (the printed bill, page 1, title) by striking all of said title after the word and punctuation "punishment;" in line 2 of the original bill (line 2 of the printed bill) and by inserting in lieu thereof the following:

"to prohibit the seller of any grain from concealing the existence of any lien, mortgage or other incumbrance on said grain, if requested to disclose the existence thereof to the buyer of said grain; to prescribe the form of statement of ownership to be executed by the seller when requested to do so by the buyer; to provide penalties for the violation thereof; and to declare an emergency."

(Signed) Thomas, Chairman.

Government

LEGISLATIVE BILL NO. 291. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 291:

1. Amend the printed bill, page 3, Section 2, line 40 by striking therefrom "xamining th" and by inserting in lieu thereof the words "examining the".

2. Amend the original bill, page 4, Section 2, lines 64 to 68, inclusive (the printed bill, page 3, Section 2, lines 49 to 52 inclusive) by striking the punctuation ":" in line 64 of the original bill (line 49 of the printed bill) and all new matter and other punctuation therein and by inserting in lieu thereof the following:

": Provided, in order to be valid the identification envelope containing the ballot of any absent or disabled voter shall be postmarked not later than the day of the election, if said ballot be transmitted to the county clerk by mail. Any ballot, thus transmitted by mail, whose identification envelope fails to disclose postmark, preparation or authentication in strict accordance with the provisions of this section shall not be counted but shall be destroyed.".

3. Amend the original bill, page 5, Section 3, line 15 (the printed bill, page 3, Section 3, line 12) by striking the word "registered" therein and by inserting in lieu thereof the word **"first-class"**.

4. Amend the original bill, page 5, Section 3 (the printed bill, pages 3 and 4, Section 3) by striking all of said section commencing with the word "Section" in line 20 of the original bill (line 16 of the printed bill) and by inserting in lieu thereof the following:

"Sec. 32-902, Comp. St. Supp., 1937, as amended by Section 7, Legislative Bill No. 291, Fifty-third Session, Nebraska State Legislature, 1939, and, at such time may vote in person at the office of said county clerk and deliver his ballot, properly sealed, to said county clerk who shall issue a proper receipt therefor.".

5. Amend the original bill, pages 5 and 6, Section 4 (the printed bill, page 4, Section 4) by striking all of said section after the word "constituting" in line 10 of the original bill (line 8 of the printed bill) and by inserting in lieu thereof the following:

"a single election precinct, or two or more election precincts, the other poll book shall be deposited with the town clerk; and said poll book shall be subject to the inspection of any elector who may wish to examine the same during the period of six months after said election shall have been held; and in counties under township organization the votes for precinct and township officers shall be canvassed by the county canvassing board, as provided in Section 32-918, Compiled Statutes of Nebraska, 1929, and certificates of election for said precinct and township officers shall be issued by the county clerk as provided in Section 32-931, Compiled Statutes of Nebraska, 1929.".

6. Amend the original bill, page 6, Section 5, line 6 (the printed bill, page 4, Section 5, line 5) by restoring the stricken matter "one town treasurer," therein to the bill.

7. Amend the original bill, page 6, Section 5 (the printed bill, page 4, Section 5) by striking the new matter contained in lines 12, 13, 14, 15 and 16 of the original bill (lines 9, 10, 11 and 12 of the printed bill) therein and by inserting in lieu thereof the following:

"An overseer of roads for each road district within the township shall be elected at the annual town meeting by the qualified voters of said road district. He shall hold his office for a period of one year and until his successor is elected and qualified."

8. Amend the original bill, page 6, Section 6, line 3 (the printed bill, page 5, Section 6, line 3) by striking the word "special" therein; and on page 7 of the original bill, in lines 7 and 8 (page 5 of the printed bill, in lines 5, 6 and 7) of said Section 6, restore all stricken matter to the bill.

9. Amend the original bill, page 7, Section 6, line 10 (the printed bill, page 5, Section 6, line 8) by striking the words **"such special"** therein and by inserting in lieu thereof the word **"any"**.

10. Amend the original bill, page 10, Section 8 (the printed bill, page 7, Section 8) by striking all the new matter contained in lines 48, 49, 50, 51, 52, 53 and 54 of the original bill (lines 38, 39, 40, 41 and 42 of the printed bill) and by inserting in lieu thereof the following:

"If there shall be more than one candidate for a vacancy for the office of either County Judge or County Superintendent, it shall be the duty of the governor of the state, to fill such vacancy as in the manner provided for the filling of vacancies upon the nonpolitical ballot in districts comprising more than one county, as set forth in Section 32-1204, Compiled Statutes of Nebraska, 1929.".

11. Amend the original bill, page 10, Section 9, line 1 (the printed bill, page 7, Section 9, line 1) by inserting immediately after the figure and punctuation "9." therein the following:

"The provisions of Article 11, Chapter 32, Compiled Statutes of Nebraska, 1929, shall not apply to the selection of delegates of the several political parties to county conventions.".

12. Amend the original bill, page 10, Section 9, line 1 (the printed bill, page 7, Section 9, line 1) by striking the figures "1922" and by inserting in lieu thereof the figures "1940".

13. Amend the original bill, page 11, Section 10, line 3 (the printed bill, page 8, Section 10, line 2) by striking therefrom the punctuation and word ". That" and by inserting in lieu thereof the following:

"; that";

and in line 5 in said Section 10 of the original bill on said page 11 (line 4 in said Section 10 of the printed bill on said page 8) insert after the word "repealed" therein the following:

"; and that Sec. 32-223, Comp. St. Supp., 1937, is hereby repealed".

14. Amend the original bill, page 1 title (the printed bill, page 1, title) by striking all of said title after the figures "1937" in line 5 of the original bill (line 4 of the printed bill) and by inserting in lieu thereof the following:

> ", relating to elections; to provide the conditions under which county clerks may at any time before election day excuse any person selected as judge or clerk of election from serving in such capacity; to provide that the identification envelope containing the ballot of any absent or disabled voter, if mailed to the county clerk shall be postmarked not later than the day of the election; to provide for not counting and for destroying said ballots of absent or disabled voters if the identification envelope containing said ballots fails to disclose the postmark, preparation or authentication thereon according to law; to provide procedure for voting in person at the office of the county clerk before election by any person who expects to be absent from his voting precinct on the day of any election; to provide that the second or other poll book shall, by election boards, be deposited with the town clerk for preservation and public inspection, in counties under township organization; to provide for the canvass of the votes for precinct and town officers by the county canvassing boards and for the issuance by the county clerk of election certificates for said precinct and township officers in counties under township organization; to provide for the election of road overseers at annual town meetings in counties under township organization; to provide for the revision of lists of and for the filling of vacancies of judges or clerks of elections by the county clerk; to abolish the postage fee of twenty-five cents upon application in writing to county clerks by voters requesting absent voter ballots; to provide procedure for the filling of vacancies in nominations to the office either of county judge or county superintendent on the nonpolitical ballot when more than one petition shall have been filed with the county clerk for nomination to fill the vacancy in either of said offices; to provide for the selection of delegates to county conventions of the several political parties; to repeal said original sections; to repeal Sec. 32-223, Comp. St. Supp., 1937; and to declare an emergency.".

LEGISLATIVE BILL NO. 326. Placed on General File.
(Signed) Von Seggern, Chairman.

Public Works

LEGISLATIVE BILL NO. 142. Indefinitely postponed.

LEGISLATIVE BILL NO. 149. Indefinitely postponed.

LEGISLATIVE BILL NO. 235. Placed on General File.

LEGISLATIVE BILL NO. 273. Placed on General File.

LEGISLATIVE BILL NO. 215. Indefinitely postponed.

LEGISLATIVE BILL NO. 377. Indefinitely postponed.
(Signed) Howard, Chairman.

Revenue

LEGISLATIVE BILL NO. 12. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 12:

1. Amend the original bill, page 1, Section 1, lines 4 and 5 (the printed bill, page 1, Section 1, line 4) by striking the words and punctuation "or aircraft," therein.

2. Amend the printed bill, page 1, Section 1, line 7 by inserting the punctuation "," after the word "alleys" and before the preposition "in" therein.

3. Amend the original bill, page 1, Section 1, line 8 (the printed bill, page 1, Section 1, line 7) by inserting after the word and punctuation "Nebraska," therein the following: "except aircraft,".

4. Amend the original bill, page 1, Section 1, line 11 (the printed bill, page 1, Section 1, line 10) by inserting after the figures and punctuation "1937," the following:

"except that portion of the tax levied for social security,".

5. Amend the original bill, page 2, Section 2, line 11 (the printed bill, page 2, Section 2, line 9) by striking therefrom "gasoline burning" therein and by inserting in lieu thereof "gasoline-burning".

6. Amend the original bill, page 2, Section 2, line 21 (the printed bill, page 2, Section 2, line 17) by inserting immediately after the punctuation "." therein the following:

"In determining the number of gallons of gasoline or other liquid fuels required the county clerk shall take into consideration data supplied by the engineer in charge of tractor tests at The University of Nebraska. The gallons of fuel used per hour on the ten hour rated load drawbar run of each official tractor test shall be set up as a fair and reasonable rate of consumption. This value multiplied by the number of hours of tractor operation shall establish the maximum amount of tax free fuel allowed. The estimated number of hours of operation shall be contained in the application filed by the farmer, or other user of fuels not consumed in propelling motor vehicles on the highway, in making his application.".

7. Amend the original bill, page 3, Section 2, line 36 (the printed bill, page 2, Section 2, line 30) by inserting immediately after the word "free" therein the following:

"except that portion of the tax levied for social security".

8. Amend the original bill, page 3, Section 2, line 37 (the printed bill, page 2, Section 2, line 31) by inserting after the punctuation "." therein the following:

"On issuance of a permit the county clerk shall collect a fee of seventy-five cents from the applicant. Of this fee the county clerk shall retain twenty-five cents to cover the cost of issuing the permit and shall remit the remaining fifty cents to the Director of Agriculture for the Department of Agriculture and Inspection, who shall use such moneys for the administration and enforcement of this Act.".

9. Amend the original bill, page 3, Section 2, line 39 (the printed bill, page 2, Section 2, line 33) by striking therefrom the word and punctuation "whenever," in the original bill (the word and punctuation "wherever," in the printed bill) and by inserting in lieu thereof the word "whenever".

10. Amend the original bill, page 3, Section 2, line 44 (the printed bill, page 2, Section 2, line 37) by inserting after the word and punctuation "purchased," therein the following:

"which in no case shall be less than forty gallons".

11. Amend the original bill, page 3, Section 2, line 55 (the printed bill, page 3, Section 2, line 46) by inserting after the first preposition "on" and before the word "December" therein the following: "or before".

12. Amend the original bill, page 3, Section 2, line 55 (the printed bill, page 3, Section 2, line 47) by inserting after the second preposition "on" in the original bill (the first preposition "on" in the printed bill) the words "or before".

13. Amend the original bill, page 3, Section 2, lines 60 and 61 (the printed bill, page 3, Section 2, line 51) by striking therefrom the words "tax exempt" and by inserting in lieu thereof the word "tax-exempt".

14. Amend the original bill, page 4, Section 4, line 8 (the printed bill, page 3, Section 4, line 7) by striking therefrom the words "tax exempt" and by inserting in lieu thereof the word "tax-exempt".

15. Amend the original bill, page 4, Section 5, line 3 (the printed bill, page 3, Section 5, line 3) by striking the word "act" therein and by inserting in lieu thereof the word "Act".

16. Amend the printed bill, pages 1, 2, 3 and 4, Sections 2, 3, 4, 5 and 6, line 1 of each of said sections respectively, by striking the first word "Section" therein and by inserting in lieu thereof in each instance the abbreviation and punctuation "Sec.".

17. Amend the original bill, page 1, title, line 3 (the printed bill, page 1, title, line 2) by inserting after the word "taxation" therein the following:

", except taxation for social security".

18. Amend the original bill, page 1, title, line 6 (the printed bill, page 1, title, line 5) by striking therefrom "or for propelling aircraft,".

(Signed) Ashmore, Chairman.

Banking, Commerce and Insurance

LEGISLATIVE BILL NO. 483. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 483:

1. Amend the original bill, page 5, Section 2, line 69 (the printed bill, page 4, Section 2, line 56) by inserting after the word "person" therein the following:

", firm or corporation".

2. Amend the original bill, page 6, Section 2, line 72 (the printed bill, page 4, Section 2, line 58) by inserting after the word "the" and before the word "terminal" therein the following:

"barge line or pipe line".

3. Amend the original bill, page 6, Section 2, lines 72 and 73 (the printed bill, page 4, Section 2, line 58) by striking therefrom the words "or tank farm".

4. Amend the original bill, page 6, Section 2, line 78 (the printed bill, page 4, Section 2, line 63) by inserting after the pronoun "him" therein the following:

"; and provided further, that such person, firm or corporation owning and operating such refinery, barge line terminal or pipe line terminal shall furnish a cash deposit or surety bond in the sum of fifty thousand dollars, executed by a surety company duly licensed and authorized to do business in the state of Nebraska, for each such refinery, barge line terminal or pipe line terminal within the state of Nebraska, said bond running to the state of Nebraska, and conditioned for the faithful performance of all obligations to the state of Nebraska imposed by law upon said person, firm or corporation; and provided further, that such person, firm or corporation shall make and file such verified reports of operations within said state as shall be required by the Department of Agriculture and Inspection of the state of Nebraska".

5. Amend the original bill, page 3, Section 1, line 49 (the printed bill, page 2, Section 1, line 40) by striking therefrom the punctuation and word "; provided" and by inserting in lieu thereof the following:

": Provided,".

6. Amend the original bill, page 3, Section 1, line 50 (the printed bill, page 2, Section 1, line 40) by striking the possessive pronoun "its" wherever the same appears therein.

7. Amend the original bill, page 1, title, (the printed bill, page 1, title) by striking all of said title after the word and punctuation "refineries," in line 4 of the original bill (in line 3 of the printed bill) and by inserting in lieu thereof the following:

"pipe line terminals or barge line terminals shall not be deemed dealers as defined for purposes of taxing the sale or use of said fuels sold to or used by licensed dealers in the state of Nebraska; to provide that persons, firms or corporations bringing said fuels by pipe line or barge line, or refining said fuels within said state shall not pay the tax imposed thereon, until said fuels, as the case may be, are used at or shipped from the barge line terminal, pipe line terminal or refinery for consumption within said state; to prescribe bond requirements and reporting regulations with respect to said barge line terminals, pipe line terminals or refineries; to repeal said original sections; and to declare an emergency."

(Signed) Hall, Chairman.

Agriculture

LEGISLATIVE BILL NO. 434. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 434:

1. Amend the original bill, page 2, Section 1, line 16 (the printed bill, page 1, Section 1, line 13) by striking therefrom the word "two" therein and by inserting in lieu thereof the word **"ten"**.

2. Amend the original bill, page 2, Section 1, line 23 (the printed bill, page 2, Section 1, line 18) by striking therefrom the word "two" and by inserting in lieu thereof the word **"ten"**.

3. Amend the original bill, page 2, Section 1, line 31 (the printed bill, page 2, Section 1, line 24) by striking therefrom the word "two" and by inserting in lieu thereof the word **"ten"**.

4. Amend the original bill, page 2, Section 1, line 35 (the printed bill, page 2, Section 1, line 27) by striking therefrom the word "two" and by inserting in lieu thereof the word **"ten"**.

5. Amend the original bill, page 2, Section 1, lines 29 and 30 (the printed bill, page 2, Section 1, line 23) by striking therefrom the punctuation and words **", and , provided further"** therein and by inserting in lieu thereof the following:

": Provided".

6. Amend the original bill, page 2, Section 1, line 34 (the printed bill, page 2, Section 1, line 26) by striking the punctuation "," after the word "and" therein.

7. Amend the original bill, page 1, Section 1, line 4 (the printed bill, page 1, Section 1, line 3) by striking the punctuation "*" after the word "Works" therein.

8. Amend the original bill, page 2, Section 1, lines 12 and 17 (the printed bill, page 1, Section 1, lines 10 and 14) by striking the word "County" wherever the same appears in each of said lines respectively, and by inserting in lieu thereof the word **"county"**.

9. Amend the original bill, page 4, Section 2, line 45 (the printed bill, page 3, Section 2, line 34) by striking therefrom the following: "Section 9 (2-1709) of this Act" and by inserting in lieu thereof the following:

"Sec. 2-1709, Comp. St. Supp., 1937, as now existing or as hereafter amended".

10. Amend the original bill, page 1, title, line 9 (the printed bill, page 1, title, line 6) by striking the definite article "the" after the preposition "in" and before the noun "district" therein and by inserting in lieu thereof the following:

"any weed eradication".

(Signed) Neubauer, Chairman.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 64. (With emergency clause)

A bill for an Act to amend Sec. 18-2201, Comp. St. Supp., 1937, relating to municipalities; to provide procedure for the refunding of outstanding pledge warrants, revenue bonds or revenue debentures, which are not general obligations of the municipality; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 37:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brodecky
Callan
Carlson
Carsten
Craven
Doyle
Dunn
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Johnson
Klaver
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 6:

Brady
Diers
Gantz
Howard
Johnston
Lambert

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 72. (With emergency clause)

A bill for an Act relating to the public morals; to prohibit marathon dances, walkathons, skatathons, bikathons or other mental and physical endurance contests or performances; to declare all places, buildings and premises upon or in which the same may be conducted a public nuisance; to provide certain exceptions therefrom; to prescribe penalties for the violation of this Act; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Johnson
Klaver
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 5:

Brady
Gantz
Howard
Johnston
Lambert

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 138. (With emergency clause)

A bill for an Act relating to game and fish; to accept on behalf of the State of Nebraska the conditions, purposes and terms of an Act of Congress, known as Public No. 415, 75th Congress, Chapter 899, 1st Session S. 2670, entitled, "An Act to provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes"; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Johnson
Klaver
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 5:

Brady
Gantz
Howard
Johnston
Lambert

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 35. (With emergency clause)

A bill for an Act to amend Sec. 33-109, Comp. St. Supp., 1937, relating to fees and salaries; to provide the compensation of deputies to clerks of district courts; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Adams, E. A.
Adams, J. Jr.
Brodecky
Callan
Carlson
Dunn
Gross
Gutoski
Hall
Hastings
Mekota
Mischke
Murphy
Neubauer
Norman
Rossiter
Schultz
Sorrell
Thomas
Tvrdik

Carsten
Craven
Diers
Doyle
Herrick
Johnson
Klaver
Lambert
Peterson
Reavis
Reed
Van Diest
Von Seggern
Westley

Voting in the negative, 1:

Garber

Not voting, 8:

Ashmore
Brady
Gantz
Howard
Johnston
Miller
Mueller
Thornton

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 85.

A bill for an Act relating to banks and banking; to repeal Sec. 8-1,130, Comp. St. Supp., 1937, relating to liability of stockholders in banking corporations and to preserve causes of action now existing or accruing prior to the effective date of this Act.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 37:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 6:

Brady
Craven
Gantz
Howard
Johnson
Johnston

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 93. (With emergency clause)

A bill for an Act to amend Section 24-208, Compiled Statutes of Nebraska, 1929, relating to corporations; to prescribe the required contents of notices of incorporation; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 30:

Adams, E. A.
Adams, J. Jr.
Brodecky
Carsten
Craven
Doyle
Dunn
Gross
Gutoski
Hall
Herrick
Johnson
Klaver
Mekota
Miller
Mischke
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 6:

Callan
Garber
Hastings
Lambert
Mueller
Sorrell

Not voting, 7:

Ashmore
Brady
Carlson
Diers
Gantz
Howard
Johnston

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 34.

A bill for an Act to amend Sec. 11-409, Comp. St. Supp., 1937, relating to bonds of indebtedness; to provide that petitioners for the submission of a proposition to vote internal improvement bonds shall give bond to the local governing body submitting the proposition for the payment of the expenses of the election in the event said proposition fails to receive sixty per cent of the vote cast at such election; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 38:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brodecky
Callan
Carlson
Craven
Carsten
Doyle
Dunn
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Johnson
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 5:

Brady
Diers
Gantz
Howard
Johnston

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Statement for Journal

Mr. President: Had I been present I would have voted for L. B. No. 64, L. B. No. 72 and L. B. No. 138. (Signed) Lambert.

GENERAL FILE

Mr. Hall presiding.

Legislative Bills No. 489, No. 18, No. 19, No. 161 and No. 420 passed over.

LEGISLTAIVE BILL NO. 90. Read and considered.

Mr. Thornton moved to refer to E and R for review.

Mr. Mischke moved to indefinitely postpone.

The motion to postpone prevailed with 19 ayes, 16 nays, 8 not voting.

Statement for Journal

Mr. President: Had I been present I would have voted nay on L. B. No. 90. (Signed) Schultz.

LEGISLATIVE BILL NO. 3. Mr. Garber moved to amend.

The motion was lost.

Referred to E and R for review.

LEGISLATIVE BILL NO. 172. Laid over one day.

LEGISLATIVE BILL NO. 16. Read and considered.

Mr. Van Diest moved to amend.

The motion was lost.

Mr. Callan moved to indefinitely postpone.

Mr. Dunn offered a substitute motion to advance to E and R for review.

The substitute motion was lost and the original motion to indefinitely postpone prevailed with 19 ayes, 14 nays, 10 not voting.

LEGISLATIVE BILL NO. 28. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 123. First ten sections read and considered.

The following General File amendments were offered and adopted:

Sec. 7, line 29, strike subsection (i) and reletter.

Amend Sec. 7, line 9, by inserting the word "tractor" following the word "engines".

Sec. IX page V strike Section (d) and reletter.

The following amendment was offered by Mr. Mekota:

Amend Sec. 10 by striking out subdivision (e) thereof.

No action taken thereon.

Laid over.

Approved by Governor

March 13th, 1939.

To the Members of the Legislature

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bill:

L. B. No. 52.

Respectfully submitted,

(Signed) Otho K. De Vilbiss,

Secretary to the Governor.

MOTION—To Reconsider Action

Mr. President: I move that we reconsider our action on L. B. No. 219 and that it be placed on General File. (Signed) Tvrdik.

No action taken.

Adjournment

At 12:06 p. m. on motion by Mr. Lambert the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FORTY-NINTH DAY

Legislative Chamber,
Lincoln, Nebraska, March 14, 1939.

The Legislature met at 9:08 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Brady and Mr. Mischke who were excused.

The Journal for the Forty-eighth Day was approved as corrected.

PETITIONS AND MEMORIALS

Mr. Mueller introduced a petition favoring L. B. No. 185 as originally introduced.

Communications

A communication was read from E. E. Monson, Secretary of the State of Utah, enclosing a copy of S. B. No. 19, an act to facilitate the cooperation of the State of Utah with other units of government and to establish an unpaid commission for that purpose, passed by the Legislature of that state and approved by the Governor, February 24, 1939.

A letter was read from Mrs. Vinnette M. Fenton.

NOTICE OF COMMITTEE HEARINGS

Education

L. B. No. 315, Monday, March 20, 1939, 2:00 p. m. (rehearing)

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL NO. 171. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 171:

I. Amend the original bill, page 1, title (the printed bill, page 1, title) by inserting after the word and punctuation "sections;" in line 18 of the original bill (line 11 of the printed bill) the following:

"to provide a validity clause;".

2. Amend the original bill, page 5, Section 5, line 22 (the printed bill, page 3, Section 5, line 18) by striking the word "summons" and by inserting in lieu thereof the word "summonses".

LEGISLATIVE BILL NO. 98. Indefinitely postponed.

LEGISLATIVE BILL NO. 99. Indefinitely postponed.

(Signed) Thomas, Chairman.

UNFINISHED BUSINESS

Mr. Tvrdik renewed his motion of the previous day to reconsider action on L. B. No. 219.

MOTION—To Amend

Mr. President: I move that the motion of Mr. Tvrdik be amended to read as follows: "I move that we reconsider our action on L. B. No. 219 and return this bill to the standing committee for further consideration." (Signed) Thomas.

The motion prevailed.

MOTION—Not to Concur

Mr. President: I move we do not concur in the standing committee report on L. B. No. 215 and that it be placed on general file. (Signed) Carlson.

The motion was lost.

MOTION—To Invite U. S. Senator Bridges to Speak

Mr. President: I move that we invite United States Senator H. Styles Bridges to speak to the Legislature at 11:00 a. m. today and that a committee of three be appointed to make the arrangements. (Signed) Schultz.

The motion prevailed and the Chair appointed the following members to serve on said committee:

Thomas Westley Gross

GENERAL FILE

Mr. Callan presiding.

Legislative Bills No. 489, No. 18, No. 19, No. 161, No. 420 and No. 172 passed over.

LEGISLATIVE BILL NO. 123. Sections 11 to 21 read and considered.

Mr. Mekota's amendment offered on the Forty-eighth Day was adopted.

Ernest E. Adams offered the following amendments which were adopted:

In line 9 of Section 11 strike "(d) Motor or Parts Dealer License, Ten Dollars ($10.00)."

In line 7, reinsert the stricken matter and strike the following from line 8: "Ten Dollars ($10.00)."

Laid over one day.

LEGISLATIVE BILL NO. 341. Read and considered.

Standing Committee amendments as mentioned in the Legislative Journal for the Thirty-fourth Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 240. Laid over one day.

LEGISLATIVE BILL NO. 214. Read and considered.

Standing Committee amendment as found in the Legislative Journal for the Thirty-fourth Day was adopted.

Mr. Johnson offered the following amendment which was adopted:

In the printed bill, page 1, Section 1, line 13, amend by striking the words "the net income and".

Mr. Mekota offered the following amendment which was adopted:

Strike the words "regardless of the origin, character, or purpose thereof" beginning in line 11 of the printed bill.

Referred to E and R for review.

MOTION—To Place L. B. No. 483 at Head of General File

Mr. President: I move that L. B. No. 483 be advanced to the top of the General File subject to the priority rights of the appropriation and assistance bills. (Signed) Garber.

The motion prevailed.

LEGISLATIVE BILL NO. 483. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Forty-eighth Day were adopted.

Referred to E and R for review.

MOTION—To Suspend Rules

Mr. President: I move that the rules be suspended and that L. B. No. 429 be read the third time. (Signed) Schultz.

A call of the House was ordered.

The call was raised.

The motion prevailed with 30 ayes, no nays, 13 not voting.

BILLS ON THIRD READING

Speaker Diers presiding.

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 429. (With emergency clause)

A bill for an Act to amend Secs. 68-324 and 68-325, Comp. St. Supp., 1937, relating to the State Assistance Fund; to determine the allocation of the State Assistance Fund on the basis of need to the several counties in the proportion which the total amount of need for assistance in each county bears to the total amount of need for assistance in the state; to repeal original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 32:

Adams, E. A.
Ashmore
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Mueller
Norman
Peterson
Reavis
Rossiter
Schultz
Sorrell
Thornton
Tvrdik
Van Diest
Von Seggern

Voting in the negative, 0.

Not voting, 11:

Adams, J. Jr.
Brady
Brodecky
Craven
Miller
Mischke
Murphy
Neubauer
Reed
Thomas
Westley

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—To Change Position on General File

Mr. President: I move that L. B. No. 75 be placed on General File directly following L. B. No. 74. (Signed) Westley.

The motion prevailed.

Visitors

At 11:00 a. m. United States Senator H. Styles Bridges of New Hampshire addressed the Legislature briefly.

Former Representative M. E. Rasdall of Ogallala addressed the Legislature briefly.

Adjournment

At 12:29 p. m. on motion by Mr. Reavis the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FIFTIETH DAY

Legislative Chamber,
Lincoln, Nebraska, March 15, 1939.

The Legislature met at 9:10 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Brady, Mr. Mischke and John Adams, Jr. who were excused on account of illness.

The Journal for the Forty-ninth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Callan, one, opposing L. B. No. 158; Mr. Garber, one, opposing L. B. No. 219.

NOTICE OF COMMITTEE HEARINGS

Claims and Deficiencies

L. B. No. 415, Monday, March 20, 1939, 2:00 p. m.

L. B. No. 154, Monday, March 20, 1939, 2:00 p. m.

Revenue

L. B. No. 492, Tuesday, March 21, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Claims and Deficiencies

LEGISLATIVE BILL NO. 245. Recommendation that it be referred to the proper committee for consideration.

(Signed) Adams, E. A., Chairman.

LEGISLATIVE BILL NO. 245. Referred to Committee on Government.

Judiciary

LEGISLATIVE BILL NO. 442. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 442:

1. Amend the original bill, page 2, Section 1, line 8 (the printed bill, page 1, Section 1, line 6) by striking therefrom "(3)".

2. Amend the original bill, page 2, Section 1, line 16 (the printed bill, page 1, Section 1, line 12) by striking the word "Court" and by inserting in lieu thereof the word "**court**".

3. Amend the original bill, page 2, Section 1, line 16 (the printed bill, page 1, Section 1, line 12) by striking therefrom the word "Executor" and by inserting in lieu thereof the word "**executor**".

4. Amend the original bill, page 2, Section 1, line 20 (the printed bill, page 1, Section 1, line 16) by inserting the punctuation "," after the word "**final**" therein.

5. Amend the original bill, page 3, Section 1, line 37 (the printed bill, page 2, Section 1, line 29) by striking therefrom "(3)".

6. Amend the original bill, page 1, title, line 7 (the printed bill, title, page 1, line 5) by inserting the punctuation "," after the word "final" and before the conjunction "and" therein.

LEGISLATIVE BILL NO. 437. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 437:

1. Amend the original bill, page 2, Section 1, lines 28 and 29 (the printed bill, page 2, Section 1, lines 21 and 22) by striking therefrom **"Articles of Incorporation, or Constitution"** and by inserting in lieu thereof the following:

"articles of incorporation, or constitution".

2. Amend the original bill, page 2, Section 1, lines 31 and 32 (the printed bill, page 2, Section 1, line 24) by striking therefrom **"President and Secretary of its Board of Trustees"** and by inserting in lieu thereof the following:

"president and secretary of its board of trustees".

(Signed) Thomas, Chairman.

Labor and Public Welfare

LEGISLATIVE BILL NO. 447. Placed on General File with amendments.

Standing Committee amendments mimeographed in lieu of printing in Journal.

LEGISLATIVE BILL NO. 159. Indefinitely postponed.

LEGISLATIVE BILL NO. 424. Indefinitely postponed.

LEGISLATIVE BILL NO. 271. Indefinitely postponed.

(Signed) Dunn, Chairman.

MOTION—To Reconsider Action

Mr. President: I move that we reconsider our action on L. B. No. 149 and that it be placed on General File. (Signed) Gutoski.

The motion was lost with 18 ayes, 17 nays, 8 not voting.

MOTION—To Reconsider Action

Mr. President: I move that we reconsider our action on the Committee report on L. B. No. 377. (Signed) Howard.

By unanimous consent argument on this motion was deferred one day.

GENERAL FILE

Mr. Peterson presiding.

Legislative Bills No. 489, No. 161, No. 172 passed over.

LEGISLATIVE BILL NO. 123. Mr. Mekota offered the following amendment:

That L. B. No. 123 be amended by striking therefrom Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, and 21 thereof.

Mr. Hall offered the following amendment to Mr. Mekota's motion:

To amend the Mekota motion by inserting the words "Section 18" in the proper place in said motion.

Mr. Hall's amendment was lost with 16 ayes, 20 nays, 7 not voting.

Mr. Mekota's amendment was adopted with 21 ayes, 10 nays, 12 not voting.

Mr. Doyle moved to indefinitely postpone L. B. No. 123.

A record vote was requested.

A call of the House was ordered.

The call was raised.

Voting in the affirmative, 18:

Adams, E. A.
Carlson
Doyle
Dunn
Gross
Gutoski
Hall
Johnson
Klaver
Lambert
Mueller
Murphy
Norman
Peterson
Rossiter
Tvrdik
Van Diest
Westley

Voting in the negative, 19:

Ashmore
Brodecky
Callan
Carsten
Craven
Garber
Hastings
Herrick
Howard
Johnston
Mekota
Miller
Neubauer
Reavis
Reed
Schultz
Sorrell
Thomas
Von Seggern

Not voting, 6:

Adams, J. Jr.	Diers	Mischke
Brady	Gantz	Thornton

A majority having failed to vote in the affirmative, the motion was lost.

Mr. Mekota offered the following amendment:

That Section 18 be amended by adding thereto after "60-917" the following: 60-903, 60-905, 60-909, 60-911, 60-913, 60-917, 60-918, 60-919.

Speaker Diers offered a substitute motion that the matter be laid over for consideration.

The substitute motion prevailed.

LEGISLATIVE BILL NO. 18. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Forty-first Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 19. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Forty-first Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 420. Read and considered.

Referred to E and R for review.

MOTION—To Reconsider Action

Mr. President: I move that we reconsider our action in approving the report of the Committee on Government to indefinitely postpone L. B. No. 241, and that it be rereferred to the standing committee. (Signed) Von Seggern.

The motion prevailed with 33 ayes, 1 nay, 9 not voting.

MOTION—To Reconsider Action

Mr. President: I move that we reconsider our action on L. B. No. 149 and that it be referred to the Committee on Public Works. Hall.

No action taken; laid over one day.

Member Excused

Mr. Norman was excused at 11:00 a. m. for a few hours on account of illness in his family.

Adjournment

At 12:00 m. on motion by Mr. Carsten the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FIFTY-FIRST DAY

Legislative Chamber,

Lincoln, Nebraska, March 16, 1939.

The Legislature met at 9:06 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Brady and Mr. Thomas who were excused on account of illness.

The Journal for the Fiftieth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Brady, one, favoring assistance to charitable, benevolent and fraternal institutions; all members, one, opposing L. B. No. 174, one, asking that L. B. No. 240 be returned to the Standing Committee for certain amendments.

Request for Flowers to Member

By unanimous consent Mr. Carsten requested the Clerk to send flowers to Mr. Brady who has been ill for several days.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. No. 54, Wednesday, March 22, 1939, 2:00 p. m.

L. B. No. 55, Wednesday, March 22, 1939, 2:00 p. m.

L. B. No. 73, Wednesday, March 22, 1939, 2:00 p. m.

L. B. No. 113, Wednesday, March 22, 1939, 2:00 p. m.

L. B. No. 114, Wednesday, March 22, 1939, 2:00 p. m.

L. B. No. 201, Wednesday, March 22, 1939, 2:00 p. m.

L. B. No. 238, Wednesday, March 22, 1939, 2:00 p. m.

Revenue

Hearing Date Changed

L. B. No. 359 from March 21 to March 23, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL NO. 51. Indefinitely postponed.

LEGISLATIVE BILL NO. 210. Indefinitely postponed.
(Signed) Ashmore, Chairman.

Claims and Deficiencies

LEGISLATIVE BILL NO. 173. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 173:

1. Amend the original bill, page 1, line 3 of the title, following the dollar sign ($), (page 1, line 2 of the title of the printed bill), by inserting the figures **"250"**

2. Amend the original bill, page 1, line 1 of the preamble, (page 1, line 1 of the preamble of the printed bill), following the word **"of"** and before the word **", County"** therein the following:

"Sioux City"

3. Amend the original bill, page 1, line 2 of the preamble, (page 1, line 2 of the preamble of the printed bill), following the word **"of"** and before the word **", State"** therein the following:

"Woodbury"

4. Amend the original bill, page 1, line 2 of the preamble, (page 1, line 2 of the preamble of the printed bill), following the word **"of"** and before the word **", on"** therein the following:

"Iowa"

5. Amend the original bill, page 3, line 3 of Section 1, (page 2, line 2 of Section 1 of the printed bill), following the word **"of"** and before the word **"dollars"** therein the following:

"250"

(Signed) E. A. Adams, Chairman.

Agriculture

LEGISLATIVE BILL NO. 334. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 334:

1. Amend the original bill, page 1, Section 1, lines 6, 7, 8 and 9 (the printed bill, page 1, Section 1, lines 3, 4 and 5) by striking all the new matter in each of said lines respectively and by inserting in lieu thereof the following:

"The licensee to whom the live stock is consigned for sale shall keep such livestock supplied with feed and water from time of receipt until time of sale.".

2. Amend the original bill, page 1, title, (the printed bill, page 1, title) by striking that part of said title after the word "provide" in line 4 of the original bill (line 3 of the printed bill) down to and including the word and punctuation "thereof;" in line 8 of the original bill (line 5 of the printed bill) and by inserting in lieu thereof the following:

"that the licensee operating any live stock sales ring, to whom live stock is consigned for sale shall keep such live stock supplied with feed and water from time of receipt until time of sale;".

LEGISLATIVE BILL NO. 298. Placed on General File.

LEGISLATIVE BILL NO. 425. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 425:

1. Amend the original bill, page 1 (the printed bill, page 1) by striking all of the body of said bill after the enacting clause and by inserting in lieu thereof the following:

"Section 1. For the better protection of birds and the establishment of breeding and resting places therefor, the following area within the state of Nebraska is hereby set aside, designated and established as a state game refuge: All that portion of the state of Nebraska on the Platte river, and for ten rods on either side of the banks of said stream from the east line of Lincoln County east to the Missouri river.

Sec. 2. The Game, Forestation and Parks Commission is directed to place suitable signs showing the boundaries of the refuge and on all roads leading thereinto.

Sec. 3. It shall be unlawful for any person or persons at any time to hunt, kill, capture or chase with dogs, any game birds, game animals or other birds or animals of any kind or description whatever, or to carry firearms of any kind or to have dogs within the limits of said game refuge, as designated in the second preceding section: **Provided,** this shall not prevent anyone carrying firearms or dogs across the preserve at any point on said refuge, nor shall it prevent any person taking fur-bearing animals by the use of traps during lawful open seasons on same, nor shall it prevent the Game, Forestation and Park Commission from issuing such permits as it may deem necessary for the killing of animal or bird predators that may endanger game birds or game animals or the domestic property of adjacent land-owners.

Sec. 4. Any person who shall violate any of the provisions of the three preceding sections shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than fifty dollars nor more than one hundred dollars for each offense, or be imprisoned in the county jail for a period of not less than three months.

Sec. 5. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Amend the original bill, page 1, title, line 2 (the printed bill, page 1, title, line 2) by striking all of said title after the word "ACT" therein and by inserting in lieu thereof the following:

"Relating to game and fish; to create and establish an additional state game refuge; to protect birds and to establish breeding and resting places therefor in an area consisting of all that portion of the state of Nebraska on the Platte river, and for ten rods on either side of the banks of said stream, from the east line of Lincoln County east to the Missouri river; to regulate and prohibit the coursing or killing of game birds or other birds, game animals or other animals of any kind or description therein; to provide penalties for the violation thereof; and to declare an emergency.".

(Signed) Neubauer, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 490. Placed on Select File.

LEGISLATIVE BILL NO. 203. Placed on Select File.

LEGISLATIVE BILL NO. 109. Placed on Select File with amendments.

E and R amendments to L. B. No. 109:

I. Amend the Standing Committee amendments, page 3, Section 1, line 83 by inserting and striking quotation marks before and after "In Transit".

II. Amend the Standing Committee amendments, page 4, Section 1, line 87 by inserting the punctuation "," after the syllable "tion" therein; and in said line 87 underscore the punctuation ";".

III. Amend the Standing Committee amendments, page 1, Section 1, line 17, by striking the word and punctuation "Sec."; and in line 19 strike the following: "Comp. St. Supp., 1937,"; in line 20 strike the abbreviation and punctuation "Sec." and in line 22 strike the following: "Comp. St. Supp., 1937,".

IV. Amend the Standing Committee amendments, page 2, Section 1, line 33, by inserting the punctuation "," after the word **"registered"** and before the word **"or"** and after the word **"dealer"**, in said line 33, insert the punctuation ",".

LEGISLATIVE BILL NO. 33. Placed on Select File with amendments.

E and R amendments to L. B. No. 33:

I. Amend the mimeographed second unofficial copy, page 1, caption "Introduced by" in line 5 thereof by striking the word "Hasting" and by inserting in lieu thereof the word "Hastings".

II. Amend the mimeographed second unofficial copy, page 2, Section 1, line 4, by striking therefrom "herin" and by inserting in lieu thereof the word "herein".

III. Amend the mimeographed second unofficial copy, page 4, Section 3, line 6 by striking the word "Section" and by inserting in lieu thereof the abbreviation and punctuation **"Sec."**; and by inserting after the section symbol and punctuation "81-1011," in said line 6 the following:

"Compiled Statutes of Nebraska, 1929, as amended by Section 5 of this Act";

and in lines 6 and 7 in said Section 3 underscore the following: "Comp. St. Supp., 1937"

IV. Amend the mimeographed second unofficial copy, page 5, Section 3, line 32 by striking therefrom "os" after the word "handling" therein and by inserting in lieu thereof the word "of".

V. Amend the mimeographed second unofficial copy, page 5, Section 3, line 58 by striking therefrom the word "Food" and by inserting in lieu thereof the word "Foods"; and on page 3, Section 2, line 3, make the same amendment.

VI. Amend the mimeographed second unofficial copy, page 5, Sec. 3, line 26 by striking the word "Dairy" and by inserting in lieu thereof the word and punctuation "**Dairies,**".

VII. Amend the mimeographed second unofficial copy, page 6, Section 3, line 82, by striking the words "trade mark" and by inserting in lieu thereof the word "trade-mark".

Correctly Engrossed

L. B. No. 23
L. B. No. 24
L. B. No. 25
L. B. No. 26
L. B. No. 32
L. B. No. 139

Correctly Enrolled

L. B. No. 429
L. B. No. 138
L. B. No. 93
L. B. No. 85
L. B. No. 72
L. B. No. 64
L. B. No. 35
L. B. No. 34
L. B. No. 40

(Signed) Craven, Chairman.

SELECT COMMITTEE REPORT

Social Security Legislation

Mr. President:

Your committee, which was appointed to confer with representatives of the Federal Social Security Board, and to endeavor to ascertain what would be required of the State of Nebraska to continue to receive federal assistance, report the following.

We have conferred on numerous occasions with Mr. Kassius, Associate Director of the Bureau of Public Assistance, of Washington, D. C., Miss Helen Dart, Director of the Regional Office of Assistance, Minneapolis, Minnesota, and Mr. Louis Shnieder, of the legal department of the Regional Social Security Office, Minneapolis, Minnesota.

It was clearly indicated in all our conferences that it would be necessary for this Legislature to pass Legislative Bill No. 238, with the following amendment, if it were to meet with the approval of the Social Security Board.

Strike out all the new matter in Section 1, Page 2, beginning on line 29, and ending on line 33, and insert in lieu thereof, the following clause: "The Nebraska State Board of Control shall have authority to establish a personnel merit system and to establish reasonable rules and regulations covering the administration of said merit system as well as all phases of the administration of the State Assistance program and said reasonable rules and regulations shall be binding upon the counties and state."

We were assured that with the passage of Legislative Bill 429, all requirements have been met in so far as the Social Security Board is concerned, placing Nebraska on a basis of need for the last quarter of this biennium. But it is still necessary that Legislative Bill 390 be passed in conformity with No. 429, to cover the next biennium.

In all our conversations with these representatives, we were definitely assured that unless legislation was passed that would set up the assistance program on a basis of need, and that the State Assistance Board shall have authority to establish a personnel merit system, and rules and regulations covering the administration of said merit system, that future grants for assistance from the Federal Government would not be forthcoming.

(Signed) Edwin Schultz J. B. Rossiter
Chairman L. B. Murphy

The report was adopted and the committee dismissed.

MOTION—To Require Committee to Report

Mr. President: I move that the Committee on Public Works be required to report immediately on L. B. No. 29. (Signed) Craven.

Substitute Motion

Mr. President: As a substitute, I move that the Committee report on L. B. No. 29 on or before March 23d. (Signed) Miller.

A majority of the members elected having failed to vote in the affirmative, the substitute motion was lost with 18 ayes, 4 nays, 21 not voting.

Vote was taken on Mr. Craven's motion. A majority of the members elected having failed to vote in the affirmative, the motion was lost with 8 ayes, 17 nays, 18 not voting.

UNFINISHED BUSINESS

MOTION—To Reconsider

Mr. Howard renewed his motion offered on the Fiftieth Day to reconsider action on the Committee report on L. B. No. 377.

Vote was taken thereon. A majority of the members elected having failed to vote in the affirmative, the motion was lost with 12 ayes, 25 nays, 6 not voting.

Speaker Diers presiding.

MOTION—To Reconsider

Mr. Hall renewed his motion offered on the Fiftieth Day to reconsider action on L. B. No. 149 and that it be referred to the Committee on Public Works.

Vote was taken thereon and the motion prevailed with 23 ayes, 10 nays, 10 not voting.

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

L. B. No. 429
L. B. No. 138
L. B. No. 93
L. B. No. 85
L. B. No. 72
L. B. No. 64
L. B. No. 35
L. B. No. 34
L. B. No. 40

Notice of Committee Meetings

The Committee on Enrollment and Review will meet this afternoon at 2:00 o'clock. Beginning Monday, March 20, 1939, the Committee on Enrollment and Review will meet each legislative day at 8:15 a. m. (Signed) Craven, Chairman.

Special Order of Business

Mr. President: I move that L. B. No. 235 be made a special order of business at 10:00 a. m. Friday, March 17, 1939. (Signed) Schultz.

The motion prevailed.

Visitor

Former Senator Charles E. Allen of Cozad addressed the Legislature briefly.

Adjournment

At 12:15 p. m. on motion by Mr. Tvrdik the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FIFTY-SECOND DAY

Legislative Chamber,
Lincoln, Nebraska, March 17, 1939.

The Legislature met at 9:10 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Brady and Mr. Thomas who were excused.

The Journal for the Fifty-first Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Hastings, one, approving L. B. No. 125; Mr. Tvrdik, one, favoring L. B. No. 372; Mr. Johnston, eight, opposing L. B. No. 425; all members, one, asking an amendment to L. B. No. 44, one, asking greater assistance to the aged needy.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL NO. 202. Placed on General File with amendments.

Standing Committee amendments mimeographed in lieu of printing in Journal.

(Signed) Neubauer, Chairman.

Government

LEGISLATIVE BILL NO. 94. Placed on General File.

LEGISLATIVE BILL NO. 241. Placed on General File.

LEGISLATIVE BILL NO. 347. Placed on General File.

LEGISLATIVE BILL NO. 394. Placed on General File.

LEGISLATIVE BILL NO. 453. Indefinitely postponed.

LEGISLATIVE BILL NO. 302. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 302:

1. Amend the original bill, page 3, Section 1, line 47 (the printed bill, page 2, Section 1, line 35) by inserting after the word "treasurer" and before the definite article "the" therein the following:

"for said purpose only".

2. Amend the original bill, page 3, Section 1, line 48 (the printed bill, page 2, Section 1, line 36) by inserting after the word "shall" and before the word "draw" therein the following:

"forthwith"

3. Amend the original bill, page 3, Section 1, line 48 (the printed bill, page 2, Section 1, line 36) by inserting after the word "warrants" and before the preposition "in" the word "thereon"

(Signed) Von Seggern, Chairman.

Revenue

LEGISLATIVE BILL NO. 125. Placed on General File.

LEGISLATIVE BILL NO. 486. Placed on General File.

LEGISLATIVE BILL NO. 487. Placed on General File.

LEGISLATIVE BILL NO. 264. Placed on General File.

LEGISLATIVE BILL NO. 137. Indefinitely postponed.

(Signed) Ashmore, Chairman.

Labor and Public Welfare

LEGISLATIVE BILL NO. 141. Placed on General File.

LEGISLATIVE BILL NO. 360. Placed on General File.
(Signed) Dunn, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 15. Placed on Select File with amendments.

E and R amendments to L. B. No. 15:

I. Amend the original bill, page 2, Section 2, line 4 (the printed bill, page 1, Section 2, line 3) by striking the word "Sections" therein and by inserting in lieu thereof the abbreviation and punctuation "Secs.".

II. Amend the original bill, page 2, Section 3, lines 1 and 2 (the printed bill, page 1, Section 3, line 1) by striking the word "legislature" and by inserting in lieu thereof the word "Legislature".

III. Amend the original bill, page 3, Section 4, line 1 (the printed bill, page 2, Section 4, line 1) by striking the word "Sections" therein and by inserting in lieu thereof the abbreviation and punctuation "Secs.".

IV. Amend the General File Amendment, line 3, by striking therefrom the word "Provided" and by inserting in lieu thereof the words "and provided further"; and in line 4 of said General File Amendment strike the figures "150,000" and insert in lieu thereof the following:

"one hundred and fifty thousand inhabitants".

V. Amend the Standing Committee amendments, Amendment No. 4, by striking all of lines 4, 5 and 6 therein and by inserting in lieu thereof the following:

"to limit the cost of administration of all activities thereunder in all counties having a population of less than one hundred and fifty thousand inhabitants to an amount not exceeding five per cent of the moneys arising under this Act; to limit the cost of administration of all activities conducted thereunder in all counties having a population of more than one hundred and fifty thousand inhabitants to an amount not exceeding ten per cent of the moneys arising under this Act;".

VI. Amend the original bill, page 2, Section 3, lines 15 to 17 (the printed bill, page 2, Section 3, lines 12 and 13) by striking the following:

"practical total loss to the agricultural interests of the state of the 1938 crop, and which resulted in extensive unemployment", and by inserting in lieu thereof, the following:

"practically a total loss of the 1938 crop to the agricultural interests of the state, and in extensive unemployment,".

LEGISLATIVE BILL NO. 28. Placed on Select File with amendments.

E and R amendments to L. B. No. 28:

I. Amend the original bill, page 1, Section 1, line 9 (the printed bill, page 1, Section 1, line 8) by inserting the punctuation "," after the word "Provided" therein; and on page 2, Section 1, lines 11 and 12 of the original bill (page 1, Section 1, lines 9 and 10 of the printed bill) strike "1st" wherever the same appears in each of said lines respectively and insert in lieu thereof the word "**first**".

II. Amend the original bill, page 2, Section 1, line 15 (the printed bill, page 1, Section 1, line 12) by striking therefrom the word "River" and by inserting in lieu thereof the word "**river**".

III. Amend the original bill, page 2, Section 1, lines 31 and 32 (the printed bill, page 2, Section 1, lines 24 and 25) by striking the figures "500" wherever the same appear in each of said lines respectively and by inserting in lieu thereof the words "**five hundred**".

IV. Amend the original bill, page 2, Section 1, line 32 (the printed bill, page 2, Section 1, lines 25) by striking therefrom "$5.00" and by inserting in lieu thereof the word "**five**".

V. Amend the original bill, page 2, Section 1, line 33 (the printed bill, page 2, Section 1, line 26) by striking therefrom "$2.50 dollars" and by inserting in lieu thereof the words "**two dollars and fifty cents**".

VI. Amend the original bill, page 2, Section 1, line 33 (the printed bill, page 2, Section 1, line 26) by striking the word "for" therein and by inserting in lieu thereof the word "**For**".

VII. Amend the original bill, page 2, Section 1, line 34 (the printed bill, page 2, Section 1, line 27) by striking therefrom the word "license" and by inserting in lieu thereof the word "**licenses**".

VIII. Amend the original bill, page 2, Section 1, lines 35 and 36 (the printed bill, page 2, Section 1, line 28) by striking therefrom the punctuation and word "; provided" and by inserting in lieu thereof the following: ": Provided".

IX. Amend the original bill, page 2, Section 1, line 39 (the printed bill, page 2, Section 1, line 31) by striking therefrom "(an) any" and by inserting in lieu thereof the following: **"an"**.

X. Amend the original bill, page 3, Section 1, line 43 (the printed bill, page 2, Section 1, line 34) by striking therefrom the word "net" and by inserting in lieu thereof the word **"nets"**.

XI. Amend the original bill, page 2, Section 1, line 19 (the printed bill, page 1, Section 1, line 15) and the original bill, page 2, Section 1, line 23 (the printed bill, page 1, Section 1, line 18) by striking therefrom the word "the", after the preposition "of" and before the word "Game", and inserting in lieu thereof the following: **"The"**.

LEGISLATIVE BILL NO. 483. Placed on Select File with amendments.

E and R amendments to L. B. No. 483:

I. Amend the original bill, page 2, Section 1, line 22 (the printed bill, page 2, Section 1, line 18) by inserting the punctuation "," after the syllable "eum" in the original bill (after the word "petroleum" in the printed bill).

II. Amend the original bill, page 3, Section 1, line 39 (the printed bill, page 2, Section 1, lines 32) by striking the word "Dealers" therein and by inserting in lieu thereof the word **"dealers"**.

III. Amend the original bill, page 3, Section 1, lines 40 and 44 (the printed bill, page 2, Section 1, lines 32, 33, 35 and 36) by striking the word "co-partnership" wherever the same appears therein and by inserting in lieu thereof the word **"copartnership"**.

IV. Amend the original bill, page 3, Section 1, lines 43 and 49; the original bill, page 4, Section 2, lines 17, 19, 22 and 30; the original bill, page 5, Section 2, line 52 (the printed bill, page 2, Section 1, lines 35 and 39; page 3, Section 2, lines 14, 16, 18 and 25; page 4, Section 2, line 42) by striking the word "State" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word **"state"**.

V. Amend the original bill, page 4, Section 2, line 15 (the printed bill, page 3, Section 2, line 13) by striking the word "cause" therein and by inserting in lieu thereof the word "caused".

VI. Amend the original bill, page 4, Section 2, line 19 (the printed bill, page 3, Section 2, line 16) by striking the punctuation "," after the word "compounded" in the original bill (the syllable "pounded" in the printed bill) and before the preposition "by" therein.

VII. Amend the original bill, page 4, Section 2, line 31 (the printed bill, page 3, Section 2, line 25) by striking the words "post office" therein and by inserting in lieu thereof the word **"post-office".**

VIII. Amend the original bill, page 5, Section 2, line 45 (the printed bill, page 3, Section 2, line 37) by striking the punctuation "." therein and by inserting in lieu thereof the punctuation ":".

IX. Amend the original bill, page 5, Section 2, line 55 (the printed bill, page 4, Section 2, line 45) by striking therefrom the word "returns" and by inserting in lieu thereof the word "return".

X. Amend the original bill, page 5, Section 2, line 60 (the printed bill, page 4, Section 2, line 48) by striking the punctuation "," after the word "blended" and before the conjunction "or".

LEGISLATIVE BILL NO. 420. Placed on Select File with amendments.

E and R amendments to L. B. No. 420:

I. Amend the original bill, title, line 3 (the printed bill, title, line 2) by striking the word "county" therein and by inserting in lieu thereof the word "County".

II. Amend the original bill, pages 1 and 2, preamble, lines 2, 11, 19, 26, 31, 35 and 38 (the printed bill, pages 1 and 2, lines 2, 9, 16, 21, 25, 28 and 30) by striking the word "Whereas" wherever the same appears therein and by inserting in lieu thereof the word "WHEREAS" in each of said lines respectively.

III. Amend the original bill, pages 1 and 2, preamble, lines 8 and 40 (the printed bill, preamble, pages 1 and 2, lines 6 and 31) by striking the words "State Highway Department" wherever the same appear therein and by inserting in lieu thereof the words "Department of Roads and Irrigation".

IV. Amend the original bill, page 2, preamble, line 45 (the printed bill, page 2, preamble, line 35) by striking the word and punctuation "therefore," therein and by inserting in lieu thereof "NOW THEREFORE".

V. Amend the original bill, page 3, Section 1, line 1 (the printed bill, page 2, Section 1, line 1) by striking the word and punctuation "APPROPRIATION." therein.

VI. Amend the original bill, page 3, Section 1, line 2; Section 2, lines 2, 4 and 10 (the printed bill, page 2, Section 1, line 2; page 2, Section 2, lines 2, 3 and 7) by striking the word "State" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word "state".

VII. Amend the original bill, page 3, Section 1, line 3 (the printed bill, page 2, Section 1, line 3) by striking therefrom the following: "($2,000.00)" therein.

VIII. Amend the original bill, page 3, Section 2, line 1 (the printed bill, page 2, Section 2, line 1) by striking therefrom the words and punctuation "DISPOSITION OF FUND.".

IX. Amend the original bill, page 3, Section 2, line 8 (the printed bill, page 2, Section 2, line 6) by striking the punctuation "," therein.

X. Amend the original bill, page 3, Section 2, line 3 (the printed bill, page 2, Section 2, line 2) by inserting the article "a" after the word "draw".

LEGISLATIVE BILL NO. 19. Placed on Select File with amendments.

E and R amendments to L. B. No. 19:

I. Amend the Standing Committee amendments, paragraph 1, line 4 by striking the figures "1000" and by inserting in lieu thereof the words "one thousand dollars"; and on page 1, title, line 2 of the original bill (page 1, title, line 2 of the printed bill) strike "$....".

II. Amend the original bill, page 1, preamble, line 3; the original bill, page 2, Section 2, lines 6 (the printed bill, page 1, preamble, line 2; the printed bill, page 2, Section 2, line 4) by inserting therein the precise date upon which the death of the said Wm. Wathen occurred during October, 1937.

III. Amend the Standing Committee amendments, paragraph 2, line 4 by striking the figures "1000" therein and by inserting in lieu thereof the words "one thousand dollars"; and on page 2, preamble, line 27 of the original bill (page 1, preamble, line 21 of the printed bill) by striking therefrom "$....".

IV. Amend the Standing Committee amendments, paragraph 3, line 4 by striking the figures "1000" and by inserting in lieu thereof the words "one thousand dollars"; and one page 2, Section 1, line 3 of the original bill (page 2, Section 1, line 3 of the printed bill) strike "$....".

V. Amend the original bill, page 2, Section 2, line 6 (the printed bill, page 2, Section 2, line 5) by striking therefrom "Auditor of Public Accounts" and by inserting in lieu thereof:

"auditor of public accounts".

VI. Amend the original bill, page 3, Section 2, line 10 (the printed bill, page 2, Section 2, line 7) by striking "State Treasurer" and by inserting in lieu thereof "state treasurer".

LEGISLATIVE BILL NO. 18. Placed on Select File with amendments.

E and R amendments to L. B. No. 18:

I. Amend the Standing Committee amendments, paragraph 1, line 4 by striking therefrom the figures "2500" and by inserting in lieu thereof the words "twenty-five hundred dollars"; and on page 1, title, line 2 of the original bill (page 1, title, line 2 of the printed bill) strike "$. . . ." therein.

II. Amend the original bill, pages 1 and 2, preamble, lines 15 and 22; the original bill, page 2, Section 1, line 2; the original bill, page 2, Section 2, lines 2 and 10; (the printed bill, page 1, preamble, lines 11 and 17; the printed bill, page 2, Section 1, line 2; the printed bill, page 2, Section 2, lines 2 and 8) by striking the word "State" wherever the same appears therein and by inserting in lieu thereof in each of said lines respectively the word "state".

III. Amend the Standing Committee amendments, paragraph 2, line 3 by striking the figures "2500" and by inserting in lieu thereof the words "twenty-five hundred dollars"; and on page 2, preamble, line 29 of the original bill (page 1, preamble, line 21 of the printed bill) strike "$. . . ." therein.

IV. Amend the Standing Committee amendments, paragraph 3, line 4 by striking the figures "2500" and by inserting in lieu thereof the words "twenty-five hundred dollars"; and on page 2, Section 1, line 4 of the original bill (page 2, Section 1, line 3 of the printed bill) strike "$. . . .".

V. Amend the original bill, page 2, Section 2, line 7 (the printed bill, page 2, Section 2, line 5) by striking therefrom "Auditor of Public Accounts" and by inserting in lieu thereof the words "auditor of public accounts".

VI. Amend the original bill, page 3, Section 3, line 2 (the printed bill, page 2, Section 3, line 2) by inserting the punctuation "," after the word "effect" and before the preposition "from" therein.

VII. Amend the original bill, page 2, Section 2, line 10, (the printed bill, page 2, Section 2, line 8) by striking therefrom "Treasurer" and by inserting in lieu thereof the word "treasurer".

VIII. Amend the original bill, page 1, preamble, line 2 (the printed bill, page 1, preamble, line 2) by inserting the punctuation "," after the figures "1937".

LEGISLATIVE BILL NO. 3. Placed on Select File with amendments.

E and R amendments to L. B. No. 3:

I. Amend the unofficial copy, mimeographed, March 11, 1939, page 3, Section 3, line 5 by striking therefrom the figures "80" and by inserting in lieu thereof the word **"eighty"**.

II. Amend the unofficial copy, mimeographed, March 11, 1939, page 3, Section 3, line 12, by striking therefrom the words "or amber" and by inserting in lieu thereof the words **"or amber"**.

III. Amend the unofficial copy, mimeographed, March 11, 1939, page 3, Section 3, line 25, by indicating all of the words and punctuation in said line as new matter.

IV. Amend the unofficial copy, mimeographed, March 11, 1939, page 3, Section 4, line 13, by striking the word "an" therein and by inserting in lieu thereof the word "and".

V. Amend the unofficial copy, mimeographed, March 11, 1939, page 4, Section 4, lines 42 and 43, by striking the word **"must"** wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word **"shall"**.

VI. Amend the unofficial copy, mimeographed, March 11, 1939, page 4, Section 4, line 45, by striking therefrom the words **"motor vehicles shall not be equipped with"** and by inserting in lieu thereof the following:

"if equipped with spot lamps, the number shall be limited to not".

VII. Amend the unofficial copy, mimeographed, March 11, 1939, page 4, Section 4, by striking the remainder of said section commencing with (4) in line 46 after the word and punctuation **"lamp;"** therein and by inserting in lieu thereof the following:

"(4) if equipped with auxiliary driving lamps, the number shall be limited to not more than two auxiliary driving lamps; and such auxiliary lamps, if used, must be mounted on the front at a point not less than fifteen inches above the level surface upon which the vehicle stands, and every such auxiliary lamp or lamps shall meet the statutory requirements for head lamps; (5) if equipped with any lighting device, other than head lamps, spot lamp or auxiliary driving lamps, which

projects a beam of light of an intensity greater than twenty-five candle power, said lighting device shall be so directed that no part of the beam therefrom will strike the level of the surface on which the vehicle stands at a distance of more than fifty feet from the vehicle; (6) if equipped with side cowl or fender lamps, the number shall be limited to two such lamps, and each said side cowl or fender lamp shall emit an amber or white light.".

VIII. Amend the unofficial copy, mimeographed, March 11, 1939, page 6, Section 9, line 12, by striking the word "have" therein and by inserting in lieu thereof the word "has".

IX. Amend the unofficial copy, mimeographed, March 11, 1939, page 1, title, lines 5 and 6, by striking therefrom the words "safety patrol" and by inserting in lieu thereof the words "Safety Patrol".

Presented to Governor for Approval

Thursday, March 16, 1939, at 3:40 p. m.

L. B. No. 429	L. B. No. 85	L. B. No. 40
L. B. No. 138	L. B. No. 72	L. B. No. 35
L. B. No. 93	L. B. No. 64	L. B. No. 34

(Signed) Craven, Chairman.

MOTION—To Reconsider and Appoint Committee

Mr. President: I move the Legislature reconsider its action on immediate consideration of L. B. No. 235 and the President of the Legislature appoint a committee of three to report to the Legislature the effects of L. B. No. 235 on the different phases of the highway construction program for the ensuing biennium. (Signed) Howard.

A majority of the members elected having failed to vote in the affirmative, the motion was lost with 10 ayes, 28 nays, 5 not voting.

MOTION—To Suspend Rules and Introduce Bill

Mr. President: I move that the rules be suspended for the introduction of a bill relating to highways and an appropriation therefor. Howard.

The motion prevailed with 32 ayes, no nays, 11 not voting.

SELECT FILE

LEGISLATIVE BILL NO. 490. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 203.

Select File amendment offered by Mr. Craven and adopted unanimously:

1. Amend printed bill, page 1, Sec. 1, line 10 by striking the following; ", unless waived by the court or judge thereof,"

2. Amend the printed bill, page 2, Sec. 2, line 9-12 by striking the following language: ": Provided, however, the court or judge thereof may waive the giving of any notice of such hearing, and may proceed with such hearing upon the filing and presentation of said petition".

Select File amendment offered by Mr. Brodecky and adopted unanimously:

Amend Standing Committee amendment No. 9 by adding thereto the following: "; and to declare an emergency".

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 33. E and R amendments as found in the Legislative Journal for the Fifty-first Day were adopted.

Referred to E and R for engrossment.

Special Order of Business

LEGISLATIVE BILL NO. 235. Read and considered.

Referred to E and R for review.

GENERAL FILE

Mr. Lambert presiding.

LEGISLATIVE BILL NO. 123. Ernest A. Adams moved that L. B. No. 123 be indefinitely postponed.

Mr. Mekota objected to the motion as out of order, on the ground that his motion to amend, offered on the Fiftieth Day, was pending.

The Chair ruled there was nothing before the House.

Mr. Mekota appealed from the decision of the Chair.

The question to sustain the decision of the Chair was lost with 8 ayes, 18 nays, 17 not voting.

Mekota amendment read and considered.

Mr. Doyle moved to lay on the table.

Motion lost for want of a second.

Speaker Diers asked unanimous consent to return the bill to the Standing Committee as amended, for hearing and to report back to the Legislature. Request granted.

Rereferred to Standing Committee.

LEGISLATIVE BILL NO. 161. Laid over.

LEGISLATIVE BILL NO. 351. Read and considered.

Mr. Doyle offered the following amendment, which was adopted:

Sec. 1, line 16, after the word "except" strike "temporary medical and surgical care" and insert in lieu thereof; "vocational rehabilitation, temporary medical and surgical care, fuel and food".

Mr. Ashmore moved that L. B. No. 161, L. B. No. 265 and L. B. No. 351 be laid over and future amendments be mimeographed and put on the desks of members. The motion prevailed.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL NO. 203. Correctly engrossed.
(Signed) Craven, Chairman.

Approved by the Governor

March 17th, 1939.

To the Members of the Legislature

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this date approved the following bills:

L. B. No. 35	L. B. No. 34	L. B. No. 40
L. B. No. 64	L. B. No. 72	L. B. No. 93
L. B. No. 138	L. B. No. 429	

Respectfully submitted,
(Signed) Otho K. De Vilbiss
Secretary to the Governor.

Member Excused

Mr. Miller was excused at 11:00 a. m. for the rest of the day.

Adjournment

At 12:05 p. m. Mr. Gross moved that the rules be suspended and that the Legislature adjourn until Monday at 10:00 a. m.

The motion prevailed with 31 ayes, no nays, 12 not voting.

Hugo F. Srb
Clerk of the Legislature.

FIFTY-THIRD DAY

Legislative Chamber,
Lincoln, Nebraska, March 20, 1939.

The Legislature met at 10:05 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except John Adams, Jr. and except Mr. Brady, Mr. Craven and Mr. Thomas who were excused on account of illness.

The Journal for the Fifty-second Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Brady, one, opposing L. B. No. 104, L. B. No. 112 and L. B. No. 174; Mr. Sorrell, one, favoring L. B. No. 235; Mr. Brodecky, one favoring extension of hospital facilities at state institutions, one favoring L. B. No. 238; one favoring L. B. No. 202.

Communications

A letter was read from Cecil B. de Mille, acknowledging receipt of a copy of Legislative Resolution No. 13.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. No. 232, Friday, March 24, 1939, 2:00 p. m.

L. B. No. 233, Friday, March 24, 1939, 2:00 p. m.

L. B. No. 297, Friday, March 24, 1939, 2:00 p. m.

L. B. No. 320, Friday, March 24, 1939, 2:00 p. m.

L. B. No. 414, Friday, March 24, 1939, 2:00 p. m.

Public Works

L. B. No. 123, Friday, March 24, 1939, 2:00 p. m. (Rehearing)

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL NO. 419. Placed on General File.
(Signed) Howard, Chairman.

Judiciary

LEGISLATIVE BILL NO. 97. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 97:

1. Amend the original bill, page 1, title, line 10 (the printed bill, page 1, title, line 7) by inserting after the word and punctuation "death;" therein the following:

"to require the county treasurer of such county to file claim against such estate for taxes, if any, owing by decedent at time of death, or to certify to said county court that no such taxes were owing; and".

2. Amend the original bill, page 1, title, lines 11 and 12 (the printed bill, page 1, title, lines 7 and 8) by striking therefrom punctuation and words as follows:

"; and to declare an emergency".

3. Amend the original bill, page 2 (the printed bill, page 2) by striking all of Section 3 thereon.

4. Amend the original bill, page 2, Section 1, line 24 (the printed bill, page 2, Section 1, line 18) by inserting after the word "owing" and before the word "by" punctuation and words as follows:

", if any,".

5. Amend the original bill, page 2, Section 1 (the printed bill, page 2, Section 1) by striking that part of said section commencing with the first punctuation "," in line 25 of the original bill (line 19

of the printed bill) down to and including the figure "1939" in line 32 of the original bill (line 24 of the printed bill); and in said line 24 of the printed bill strike the punctuation ":" therein and insert in lieu thereof the punctuation ";".

6. Amend the original bill, page 2, Section 1 (the printed bill, page 2, Section 1) by striking that part of said section after the word "then" in line 33 of the original bill (line 25 of the printed bill) down to and including the word "state" in line 35 of the original bill (line 26 of the printed bill) and by inserting in lieu thereof the following:

"the said treasurer shall so certify to said county court".

(Signed) Gantz, Vice Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 111. Correctly engrossed.

(Signed) Craven, Chairman.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 495. By Howard of McPherson, Gross of Cherry. By Special Order of Legislature.

A bill for an Act relating to highways; specifically to reappropriate from unexpended balance arising out of the gasoline highway fund in the sum of two hundred thousand dollars, or so much thereof as may be necessary, for the purpose of constructing forthwith a north and south state highway connecting state and federal highways Nos. 20, 2 and 30 by the most feasible route to be located west of the Sixth Principal Meridian in Nebraska; to make said money reappropriated immediately available for the uses and purposes of this Act; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time.

Mr. President: I move that the rules be suspended and that L. B. No. 495 be read the second time now. Howard.

The motion prevailed with 36 ayes, no nays, 7 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title see Bills on First Reading)

LEGISLATIVE BILL NO. 495. Referred to Committee on Public Works.

Approved by Governor

March 17th, 1939

To the Members of the Legislature

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bill:

L. B. No. 85.

Respectfully submitted,
(Signed) Otho K. De Vilbiss
Secretary to the Governor.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 23. (With emergency clause)

A bill for an Act to amend Sec. 26-108, Comp. St. Supp., 1937, relating to county government and officers; to provide that the annual levy of taxes made by county boards shall be for such purposes and amounts as provided in county budgets; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, E. A.
Ashmore
Brodecky
Garber
Gross
Gutoski
Lambert
Mekota
Miller
Reed
Rossiter
Schultz

Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Sorrell
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 4:

Adams, J. Jr.
Brady
Craven
Thomas

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 24. (With emergency clause)

A bill for an Act to amend Section 26-116, Compiled Statutes of Nebraska, 1929, relating to county government and officers; to provide conditions under which county boards may issue county warrants against the various funds provided in the county budget after the adoption of said budget; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, E. A.
Ashmore
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 4:

Adams, J. Jr.
Brady
Craven
Thomas

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 25. (With emergency clause)

A bill for an Act to amend Section 26-117, Compiled Statutes of Nebraska, 1929, relating to county government and officers; to prescribe the form of and recitals in county warrants; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, E. A.
Ashmore
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 4:

Adams, J. Jr.
Brady
Craven
Thomas

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 26. (With emergency clause)

Unanimous consent was granted to strike the word "here" (the last word in line 4, page 2, printed bill), and insert in lieu thereof the word "herein".

A bill for an Act to amend Secs. 26-2103, 26-2104, 26-2105, 26-2106, 26-2107, 26-2108 and 26-2111, Comp. St. Supp., 1937, relating to county government and officers; to amend the County Budget Act of 1937; to provide that the county budget shall present a complete financial plan for the period for which it is drawn; to provide that county budget forms and summaries thereof shall be prescribed by the Auditor of Public Accounts and the Attorney General; to provide the county budget period after December 31, 1939; to prescribe the date of drafting said budget and for notice of hearing thereon with respect to the date of its transmittal by the budget-making authority to the county board; to prescribe the date for the adoption of said budget; to provide for the public inspection of said budget in the office of the county clerk of the county after its transmittal, as aforesaid; to prescribe procedure incident to the annual levy of taxes by the county board in relation to said budget; to provide for the replacement of expenditures made after the adoption of said budget from funds arising out of taxes collected from the levy for the current fiscal year; to provide a validity clause; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 38:

Adams, E. A.
Ashmore
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Schultz
Sorrell
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 5:

Adams, J. Jr.
Brady
Craven
Rossiter
Thomas

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement for Journal

Mr. President: If present I would have voted aye on L. B. No. 26. (Signed) Rossiter.

LEGISLATIVE BILL NO. 32. (With emergency clause)

A bill for an Act to amend Sections 57-102 and 57-103, Compiled Statutes of Nebraska, 1929, relating to oil and gas; to provide state aid upon the discovery thereof; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 18:

Adams, E. A.
Carsten
Diers
Doyle
Gantz
Garber
Hall
Hastings
Howard
Johnson
Klaver
Mueller
Neubauer
Reavis
Sorrell
Van Diest
Von Seggern
Westley

Voting in the negative, 20:

Ashmore
Brodecky
Callan
Carlson
Dunn
Gross
Gutoski
Herrick
Johnston
Lambert
Mekota
Miller
Mischke
Murphy
Norman
Peterson
Reed
Schultz
Thornton
Tvrdik

Not voting, 5:

Adams, J. Jr.
Brady
Craven
Rossiter
Thomas

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause.

Vote on L. B. No. 32 With Emergency Clause Stricken

Voting in the affirmative, 18:

Adams, E. A.
Carsten
Garber
Hall
Klaver
Mueller
Sorrell
Van Diest

Diers
Doyle
Gantz
Hastings
Howard
Johnson
Neubauer
Reavis
Von Seggern
Westley

Voting in the negative, 20:

Ashmore
Brodecky
Callan
Carlson
Dunn
Gross
Gutoski
Herrick
Johnston
Lambert
Mekota
Miller
Mischke
Murphy
Norman
Peterson
Reed
Schultz
Thornton
Tvrdik

Not voting, 5:

Adams, J. Jr.
Brady
Craven
Rossiter
Thomas

A constitutional majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause stricken.

LEGISLATIVE BILL NO. 139.

A bill for an Act to amend Sec. 79-901, Comp. St. Supp., 1937, to amend Section 79-1001, Compiled Statutes of Nebraska, 1929, relating to schools; to prescribe the minimum course of study, the qualifications of examiners giving examinations to pupils upon completion of said course of study and the average examination grade required in all subjects to entitle pupils of public school districts to the privileges of free public high school education; to prescribe that the course of study for the high school grades shall be the Nebraska high school manual issued by the superintendent of public instruction; and to repeal said original sections.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 38:

Adams, E. A.
Ashmore
Brodecky
Callan
Carlson
Carsten
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Reavis
Reed
Schultz
Sorrell
Thornton
Tvrdik

Diers
Doyle
Dunn
Gantz
Howard
Johnson
Johnston
Klaver
Neubauer
Norman
Peterson
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 5:

Adams, J. Jr.
Brady
Craven
Rossiter
Thomas

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

Speaker Diers presiding.

LEGISLATIVE BILL NO. 109. E and R amendments as found in the Legislative Journal for the Fifty-first Day were adopted.

LEGISLATIVE BILL NO. 15. E and R amendments as found in the Legislative Journal for the Fifty-second Day were adopted.

LEGISLATIVE BILL NO. 28. E and R amendments as found in the Legislative Journal for the Fifty-second Day were adopted.

LEGISLATIVE BILL NO. 483. E and R amendments as found in the Legislative Journal for the Fifty-second Day were adopted.

Unanimous consent was granted to amend Section 2 of printed L. B. No. 483, page 4, last line, by striking the figures "1939" and inserting in lieu thereof the figures "1941".

LEGISLATIVE BILL NO. 420. E and R amendments as found in the Legislative Journal for the Fifty-second Day were adopted.

LEGISLATIVE BILL NO. 19. E and R amendments as found in the Legislative Journal for the Fifty-second Day were adopted.

LEGISLATIVE BILL NO. 18. E and R amendments as found in the Legislative Journal for the Fifty-second Day were adopted.

LEGISLATIVE BILL NO. 3. E and R amendments as found in the Legislative Journal for the Fifty-second Day were adopted.

Referred for Engrossment

L. B. No. 109	L. B. No. 28	L. B. No. 19
L. B. No. 15	L. B. No. 483	L. B. No. 18

Member Excused

Mr. Rossiter was excused at 11:00 o'clock for the remainder of the day.

Adjournment

At 12:09 p. m. on motion by Mr. Johnson the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FIFTY-FOURTH DAY

Legislative Chamber,
Lincoln, Nebraska, March 21, 1939.

The Legislature met at 9:10 a. m. President Johnson presiding.

Reverend Vincent R. Beebe of Malcolm, Nebraska led the Legislature in prayer.

The roll was called and all members were present except Mr. Brady, Mr. Craven and Mr. Rossiter who were excused.

The Journal for the Fifty-third Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Neubauer, one, favoring L. B. No. 483 and L. B. No. 12; Mr. Brodecky, one, opposing L. B. No. 287, one, opposing L. B. No. 212; Mr. Lambert, one, opposing L. B. No. 212.

NOTICE OF COMMITTEE HEARINGS

Public Works

L. B. No. 310, Wednesday, March 29, 1939, 2:00 p. m.

L. B. No. 430, Wednesday, March 29, 1939, 2:00 p. m.

L. B. No. 317, Wednesday, March 29, 1939, 2:00 p. m.

L. B. No. 383, Wednesday, March 29, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Labor and Public Welfare

LEGISLATIVE BILL NO. 67. Placed on General File.

(Signed) Dunn, Chairman.

Government

LEGISLATIVE BILL NO. 115. Placed on General File.

LEGISLATIVE BILL NO. 116. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 116:

1. Amend the original bill, page 3, Section 1, line 54 (the printed bill, page 2, Section 1, line 41) by striking therefrom the words "**deemed and considered**".

2. Amend the original bill, page 3, Section 1, line 55 (the printed bill, page 2, Section 1, line 42) by inserting after the word "**records**" therein the following:

"and available to inspection by any and all persons during reasonable office hours".

3. Amend the original bill, page 1, title, (the printed bill, page 1, title) by striking all of said title after the word "be" in line 7 of the original bill (line 5 of the printed bill) and by inserting in lieu thereof the following:

"public records and available to inspection by any and all persons during reasonable office hours; to provide that said records, plats and field notes shall at all times be available, within reasonable office or business hours, for free access to the state surveyor or deputy state surveyor of the state of Nebraska or any county surveyor of said state; to repeal said original section; and to declare an emergency."

LEGISLATIVE BILL NO. 117. Placed on General File.

LEGISLATIVE BILL NO. 352. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 352:

1. Amend the original bill, page 2, Section 1, line 7 (the printed bill, page 1, Section 1, line 5) by striking the word "three" and by inserting in lieu thereof the word "two".

2. Amend the original bill, page 1, title, line 15 (the printed bill, page 1, title, line 8) by striking therefrom the word "three" and by inserting in lieu thereof the word "two".

LEGISLATIVE BILL NO. 376. Indefinitely postponed.

(Signed) Von Seggern, Chairman.

Revenue

LEGISLATIVE BILL NO. 207. Placed on General File with amendments.

(Standing Committee amendments mimeographed in lieu of printing in Journal.)

(Signed) Ashmore, Chairman.

MOTION—To Suspend Rules and Introduce Bill

Mr. President: I move that the rules be suspended to permit the introduction of L. B. No. 496. Tvrdik.

The motion prevailed with 36 ayes, no nays, 7 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 496. By Tvrdik of Douglas

A bill for an Act to amend Sec. 14-201, Comp. St. Supp., 1937; to amend Sections 14-204 and 14-205, Compiled Statutes of Nebraska, 1929, relating to elections; to establish the time for holding primary and general elections for the nomination and election of councilmen in cities having a population of more than one hundred fifty thousand inhabitants so that the dates of said elections will correspond in time with primary and general elections held for the nomination and election of state, county and other public officers; to provide for the term of office of councilmen so nominated and elected; to establish the time for filing by candidates for nomination at primary elections in said cities; to prescribe procedure for said filing; to fix the hour of the day when the polls shall close at primary elections held in such cities; to repeal said original sections; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move the rules be suspended and that L. B. No. 496 be read the second time now. Tvrdik.

The motion prevailed with 32 ayes, no nays, 11 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title see Bills on First Reading)

LEGISLATIVE BILL NO. 496. Referred to Committee on Government.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 203. (With emergency clause)

A bill for an Act relating to decedents' estates; to authorize the executor or administrator of the estate of a deceased person, or the guardian of a minor or incompetent person, to borrow money and secure the payment thereof by a mortgage or pledge of the personal property of the estate of the decedent or the minor or incompetent person; and to prescribe procedure therefor; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.
Adams, J. Jr.
Brodecky
Callan
Carlson
Garber
Gross
Gutoski
Hall
Hastings
Klaver
Lambert
Mekota
Mischke
Mueller
Reavis
Reed
Schultz
Sorrell
Thomas

Carsten
Diers
Doyle
Dunn
Gantz
Herrick
Howard
Johnson
Johnston
Murphy
Neubauer
Norman
Peterson
Thornton
Tvrdik
Von Seggern
Westley

Voting in the negative, 1: Miller

Not voting, 5:

Ashmore
Brady
Craven
Rossiter
Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Request for Specific Amendment

Mr. President: I respectfully request unanimous consent of the Legislature to refer L. B. No. 19 to Select File for the following specific amendment. Schultz.

Specific Amendment to L. B. No. 19:

Amend the original bill, page 1, preamble, line 3 (the printed bill, page 1, preamble, line 2) by inserting after the word "the" and before the word "day", the following figures: "3rd"; and on page 2, Section 2, line 6 of the original bill (the printed bill, page 2, Section 2, line 4) amend by inserting after the word "October", the following figures: "3rd".

Unanimous consent was granted.

RESOLUTIONS

RESOLUTION NO. 18.

Resolution in appreciation of hospitality and entertainment furnished to members of this Legislature and State Officials by Platte Valley Public Power and Irrigation District, Central Nebraska Public Power and Irrigation District, and the several Chambers of Commerce of Ogallala, North Platte, Elwood, Holdrege, Minden, Hastings, and Fremont, Nebraska.

Introduced by Leland R. Hall of Adams, Swan Carlson of Phelps, Charles R. Herrick of Frontier, R. M. Howard of McPherson.

Preamble

WHEREAS, the members of the Fifty-third Session, Nebraska State Legislature, 1939, and various other state officials were honored guests of and entertained by the Platte Valley Public Power and Irrigation District, the Central Nebraska Public Power and Irrigation District and the Chambers of Commerce of Ogallala, North Platte, Elwood, Holdrege, Minden, Hastings, and Fremont, Nebraska, on March 18 and 19, 1939, and

WHEREAS, while as such guests, our hosts, and each of them spared no pains to extend many kindly courtesies and much thoughtful hospitality to members of this Legislature and the state officials who accompanied us during said visit, and

WHEREAS, the members of this Legislature appreciate the opportunity afforded to gain first-hand information as to public power and irrigation development now actually in progress in western Nebraska, which information will assist us materially in the solution of Legislative problems before this Legislature concerning public power and irrigation in the state of Nebraska, and

WHEREAS, the members of this body desire to express their most sincere appreciation not only for the entertainment and hospitality extended but also for the information gained by coming in actual contact with the projects now developing public power and irrigation in the state of Nebraska, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That the members of this Legislature extend a vote of thanks to the Platte Valley Public Power and Irrigation District, known as the Sutherland project, to the Central Nebraska Public Power and Irrigation District, known also as the Tri-County project, and to the Chambers of Commerce of Ogallala, North Platte, Elwood, Holdrege, Minden, Hastings and Fremont, Nebraska, for their thoughtfulness in providing for our entertainment and comfort during our recent week-end visit and inspection tour of the public power and irrigation projects in western Nebraska.

2. That a copy of this resolution be spread at large on the pages of the Journal of this Legislature; and that the Clerk of this Legislature be directed to forward copies of this resolution, properly authenticated and suitably engrossed, one each to the Platte Valley Public Power and Irrigation District, the Central Nebraska Public Power and Irrigation District and to the Chambers of Commerce of Ogallala, North Platte, Elwood, Holdrege, Minden, Hastings and Fremont, Nebraska.

MOTION—To Suspend Rules and Adopt Resolution

Mr. President: I move the rules be suspended and Resolution No. 18 be adopted. Hall.

The motion prevailed with 38 ayes, no nays, 5 not voting.

The resolution was unanimously adopted.

SELECT FILE

LEGISLATIVE BILL NO. 420. Laid over.

LEGISLATIVE BILL NO. 3. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 19. Specific amendment as found in this day's Journal was adopted.

Referred to E and R for engrossment.

GENERAL FILE

Mr. Tvrdik presiding.

LEGISLATIVE BILL NO. 489. Laid over.

LEGISLATIVE BILL NO. 161. Indefinitely postponed.

LEGISLATIVE BILL NO. 162. Laid over.

LEGISLATIVE BILL NO. 265. Laid over.

LEGISLATIVE BILL NO. 351. Mr. Doyle offered the following amendment which was adopted:

2. Amend the printed bill, page 1, title, line 5 by inserting after the word and punctuation "Nebraska;" therein the following:

"to provide that such needy blind persons shall not be disqualified as recipients for blind assistance by reason of the fact that they are receiving vocational rehabilitation, temporary medical and surgical care, fuel and food;".

Mr. Schultz offered the following amendment, which was adopted:

That the word "temporary" be stricken in both amendments where the same was inserted.

John Adams, Jr. offered the following amendment, which was adopted:

Amend L. B. No. 351, page 3, line 35 by striking all of the new matter beginning with the word "and" after the word "case" down to and including the word "control" in line 36. In line 30 strike all new matter beginning with the word "and" after the word application down to and including the word "control" in line 32.

Mr. Herrick offered the following amendment, which was adopted:

Amend L. B. 351, page 3, line 28 by striking the words "County Board" and inserting in lieu thereof the words "county assistance committee".

Referred to E and R for review.

LEGISLATIVE BILL NO. 270. Read and considered.

Mr. Lambert offered the following amendment:

That all of Sec. 2 of L. B. No. 270 be stricken and the remaining sections renumbered.

Laid over one day.

LEGISLATIVE BILL NO. 389. Read and considered.

Mr. Herrick offered the following amendment which was adopted:

Amend L. B. No. 389, page 3, Section 2, line 28 by striking the words "County Board" and by inserting in lieu thereof the words "county assistance committee".

Mr. Doyle offered the following amendments:

1. Amend the printed bill, page 1, Section 1, line 3 by inserting the word **"needy"** after the word "Every" and before the word "person" therein.

3. Amend the printed bill, page 3, Section 2, lines 32, 36 and 37 by striking the words **"State Board of Control"** wherever the same appear in each of said lines respectively and by inserting in lieu thereof the following:

"Board of Control of state institutions".

4. Amend the printed bill, page 3, Section 2, line 37 by inserting after the syllable and punctuation **"trol."** and before the word **"If"** therein the following:

"The term "need", as used in Sec. 68-325, Comp. St. Supp., 1937, as amended, shall apply to that portion of an individual's total need as determined by proper investigation and allowed as the monthly assistance grant as determined on the budgetary deficiency basis with respect to each individual eligible for and receiving assistance under the provisions of Chapters 43 and 68, Compiled Statutes of Nebraska, 1929, and under the provisions of Chapters 43 and 68, Comp. St. Supp., 1937, as now existing or as hereafter amended, and the rules and regulations of the Board of Control of state institutions.".

5. Amend the printed bill, page 1, title, line 9, by inserting after the word and punctuation "determined;" therein the following:

"to define the term "need" as it is applied under the provisions of Sec. 68-325, Comp. St. Supp., 1937, as amended;".

Amendment No. 1 above was adopted.

Laid over.

President Johnson presiding.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL NO. 203. Correctly enrolled.
(Signed) Klaver, Vice Chairman.

President Signs

While the Legislature was in session and capable of transacting business the President signed:

Legislative Bill No. 203.

Adjournment

At 12:02 p. m. on motion by Mr. Murphy the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FIFTY-FIFTH DAY

Legislative Chamber,
Lincoln, Nebraska, March 22, 1939.

The Legislature met at 9:07 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Thomas who was excused.

The Journal for the Fifty-fourth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Hastings, one, favoring L. B. No. 457; Mr. Diers, one, opposing L. B. No. 292; Mr. Neubauer, one, favoring L. B. No. 138 and L. B. No. 409.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. No. 382, Monday, March 27, 1939, 2:00 p. m.

L. B. No. 428, Monday, March 27, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL NO. 179. Placed on General File.

LEGISLATIVE BILL NO. 227. Placed on General File.

LEGISLATIVE BILL NO. 357. Placed on General File.

LEGISLATIVE BILL NO. 315. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 315:

1. Amend the original bill, pages 1, 2, 3 and 4 (the printed bill, pages 1, 2 and 3) by striking all new matter and by restoring all stricken matter to Section 1 thereon.

2. Amend the original bill, page 4, Section 1, line 90 (the printed bill, page 3, Section 1, line 72) by inserting after the last word "be" therein the following:

": Provided, that, in counties having three or more accredited high schools, other than the county high school, the board of regents may cause to be levied not to exceed an additional seven-tenths of one mill, to be used for tuition purposes only and to pay the tuition of pupils living outside the eight mile limit and nearer to any other accredited high school whether within the boundaries or outside the boundaries of said county."

3. Amend the original bill, page 1, title (the printed bill, page 1, title) by striking all of said title after the word and punctuation "districts;" in line 5 of the original bill (line 3 of the printed bill) and by inserting in lieu thereof the following:

"to provide that, in counties having three or more accredited high schools, other than the county high school, the board of regents may cause to be levied not to exceed an additional seven-tenths of one mill to be used for tuition purposes only and to pay the tuition of pupils living outside the eight mile limit and nearer to any other accredited high school, whether within the boundaries or outside the boundaries of said county; to repeal said original section; and to declare an emergency.".

(Signed) Schultz, Chairman.

Banking, Commerce and Insurance

LEGISLATIVE BILL NO. 213. Placed on General File.

LEGISLATIVE BILL NO. 380. Indefinitely postponed.

LEGISLATIVE BILL NO. 261. Indefinitely postponed.

LEGISLATIVE BILL NO. 69. Placed on General File.

LEGISLATIVE BILL NO. 2. Placed on General File with amendments.

(Standing Committee amendments mimeographed in lieu of printing in Journal).

(Signed) Hall, Chairman.

Agriculture

LEGISLATIVE BILL NO. 205. Placed on General File.

(Signed) Neubauer, Chairman.

Revenue

LEGISLATIVE BILL NO. 388. Placed on General File.

LEGISLATIVE BILL NO. 492. Placed on General File.

(Signed) Ashmore, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 214. Placed on Select File with amendments.

E and R amendments to L. B. No. 214:

I. Amend the original bill, page 2, Section 1, line 8 (the printed bill, page 1, Section 1, line 5) by striking the word "act" therein and by inserting in lieu thereof the word "Act".

II. Amend the original bill, page 2, Section 1, line 7 (the printed bill, page 1, Section 1, line 5) by striking the words and punctuation "Actual value" therein and by inserting in lieu thereof the words and punctuation "actual value".

LEGISLATIVE BILL NO. 341. Placed on Select File.

LEGISLATIVE BILL NO. 235. Placed on Select File with amendments.

E and R amendments to L. B. 235:

I. Amend the original bill, page 1, Section 1, lines 1 and 3 (the printed bill, page 1, Section 1, lines 1 and 3) by striking the section symbol "60-405" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the section symbol "66-405".

II. Amend the original bill, pages 1, 2 and 3, Section 1, lines 17, 20, 23, 31 and 54; pages 4, 5, 6 and 7 of the original bill, Section 2, lines 4, 9, 13, 43; page 8 of the original bill, Section 3, line 9 (the printed bill, pages 1 and 2, Section 1, lines 12, 14, 16, 22 and 39; pages 3 and 4, Section 2, lines 3, 7, 10 and 33; page 5, Section 3, line 7) by striking the word "State" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word **"state"**.

III. Amend the original bill, page 2, Section 1, line 32 (the printed bill, page 2, Section 1, line 23) by striking the words "post office" therein and by inserting in lieu thereof the word **"post-office"**.

IV. Amend the original bill, page 3, Section 1, line 47 (the printed bill, page 2, Section 1, line 34) by striking the punctuation "." therein and by inserting in lieu thereof the punctuation ":".

V. Amend the original bill, page 3, Section 1, line 70 (the printed bill, page 3, Section 1, line 51) by striking therefrom the punctuation and word ". Provided" and by inserting in lieu thereof the following:

": **Provided,**";

amend the original bill, page 4, Section 2, line 1 (the printed bill, page 3, Section 2, line 1) by striking therefrom the punctuation "," immediately preceding the abbreviation and punctuation "St." therein.

VI. Amend the original bill, page 4, Section 2, line 17 (the printed bill, page 3, Section 2, line 13) by striking therefrom "(10%)".

VII. Amend the original bill, page 4, Section 2, line 25 (the printed bill, page 3, Section 2, line 19) by striking therefrom "(20%)".

VIII. Amend the original bill, page 5, Section 2, line 32 (the printed bill, page 3, Section 2, line 24) by striking therefrom "(70%)".

IX. Amend the original bill, page 5, Section 2, line 33 (the printed bill, page 3, Section 2, line 25) by striking therefrom the words "County Board" and by inserting in lieu thereof the words **"county board"**.

X. Amend the original bill, page 5, Section 2, line 37 (the printed bill, page 3, Section 2, line 28) by striking therefrom "(35%)"; and in lines 39 and 40 of said Section 2 of the original bill (line 30 of the printed bill) strike the words "Highway Construction Bonds" and insert in lieu thereof the words **"highway construction bonds"**.

XI. Amend the original bill, page 5, Section 2, line 41 (the printed bill, page 3, Section 2, line 32) by striking therefrom "(50%)"; and in line 45 of said Section 2 of the original bill (line 35 of said section of the printed bill) by striking therefrom **"(50%)"**; and on page 6, Section 2, line 65 of the original bill (page 4, Section 2, line 50 of the printed bill) strike "Federal Funds" and insert in lieu thereof **"federal funds"**; and on page 6, Section 2, line 67 of the original bill (page 4, Section 2, lines 51 and 52 of the printed bill) strike "Federal" and insert in lieu thereof the word **"federal"**; and on page 6, Section 2, lines 71, 73 and 80 of the original bill (page 4, Section 2, lines 55, 56 and 61 of the printed bill) by striking the word "Federal" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word **"federal"**; and on said page 6, Section 2, line 85 of the original bill (page 4, Section 2, line 65 of the printed bill) strike the punctuation "," after the word "equipment" therein; and on page 7, Section 2, line 87 of the original bill (page 4, Section 2, line 66 of the printed bill) strike the punctuation "," after the word "improvement" therein; and on page 7, Section 2, lines 87, 89 and 93 of the original bill (pages 4 and 5, Section 2, lines 67, 68 and 71 of the printed bill) by striking the word "Federal" and by inserting in lieu thereof the word **"federal"** in each of said lines respectively.

XII. Amend the original bill, page 7, Section 2, line 93 (the printed bill, page 5, Section 2, line 71) by striking therefrom the word "Department" and by inserting in lieu thereof the word **"department"**; and on page 7, Section 2, lines 96 and 97 of the original bill (page 5, Section 2, line 74 of the printed bill) strike the words "Federal Aid" and insert in lieu thereof the words **"federal aid"**; and on page 7, Section 2, line 98 of the original bill (page 5, Section 2, line 75 of the printed bill) strike the words "Federal Highway" and insert in lieu thereof the words **"federal highway"**.

XIII. Amend the original bill, page 7, Section 2, line 102 (the printed bill, page 5, Section 2, line 78) by striking the punctuation "." after the word "state" and by inserting in lieu thereof the punctuation ":"; and in said line 102 of the original bill (said line 78 of the printed bill) strike "1941" and insert in lieu thereof **"1941"**.

XIV. Amend the original bill, page 7, Section 2, line 105 (the printed bill, page 5, Section 2, line 80) by striking therefrom "County Treasurers" and by inserting in lieu thereof the words **"county treasurers"**.

XV. Amend the original bill, page 7, Section 2, line 114 (the printed bill, page 5, Section 2, line 87) by striking the punctuation "," after the word "relief" therein; and also strike the punctuation "." after the word "state" therein and insert in lieu thereof the punctuation ":".

XVI. Amend the original bill, page 7, Section 2, line 116 (the printed bill, page 5, Section 2, line 89) by striking therefrom the hyphenated word "inter-state" and by inserting in lieu thereof the word **"interstate"**.

XVII. Amend the original bill, page 8, Section 3 (the printed bill, page 5, Section 3) by striking that part of said section commencing with the word "Section" in line 10 of the original bill (line 8 of the printed bill) down to and including the figures "1939" in line 13 of the original bill (line 10 of the printed bill) and by inserting in lieu thereof the following:

"Sec. 66-405, Comp. St. Supp., 1937, as amended by Section 1, Legislative Bill No. 235, Fifty-third Session, Nebraska State Legislature, 1939".

XVIII. Amend the original bill, page 8, Section 3, line 15 (the printed bill, page 5, Section 3, line 12) by striking the punctuation "," after the word "deductions" therein.

XIX. Amend the original bill, page 8, Section 3 (the printed bill, pages 5 and 6, Section 3) by striking that part of said section commencing with the word "Section" in line 17 of the original bill (line 13 of the printed bill) down to and including the figures "1939" in line 20 of the original bill (line 15 of the printed bill) and by inserting in lieu thereof the following:

"Sec. 66-405, Comp. St. Supp., 1937, as amended by Section 1, Legislative Bill No. 235, Fifty-third Session, Nebraska State Legislature, 1939".

XX. Amend the original bill, page 8, Section 3, line 22 (the printed bill, page 6, Section 3, line 17) by underscoring the figures "1941" therein.

XXI. Amend the original bill, page 2, Section 1, line 31; pages 4 and 5, Section 2, lines 4, 9 and 43 (the printed bill, page 2, Section 1, line 22; pages 3 and 4, Section 2, lines 4, 7 and 33) by striking the word "Treasurer" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word **"treasurer"**.

XXII. Amend the original bill, page 3, Section 1, line 52 (the printed bill, page 2, Section 1, line 37) by inserting the punctuation "," after the word "report".

XXIII. Amend the original bill, page 4, Section 2, line 25 (the printed bill, page 3, Section 2, line 19) by striking the conjunction "and", after the punctuation ";" and before the parentheses and figure "(2)".

Presented to Governor for Approval

LEGISLATIVE BILL NO. 203. March 21, 1939 at 1:50 p. m.

Correctly Engrossed

L. B. No. 483
L. B. No. 33
L. B. No. 490

Correctly Enrolled

L. B. No. 26
L. B. No. 23
L. B. No. 24
L. B. No. 25
L. B. No. 139

(Signed) Craven, Chairman.

President Signs

While the Legislature was in session and capable of transacting business the President signed:

L. B. No. 26
L. B. No. 23
L. B. No. 24
L. B. No. 25
L. B. No. 139

MOTION—To Take Original Position

Mr President: I move that L. B. No. 315 be placed in its original position on General File. (Signed) Ashmore.

The motion prevailed.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 19. Lincoln Cathedral Choir.

Resolution Designating the Lincoln Cathedral Choir as the Official Representative of the State of Nebraska at the New York World's Fair.

Introduced by A. L. Miller of Kimball.

Preamble

WHEREAS, the plans of the New York World's Fair to be held in the City of New York, New York, beginning in 1939 are completely made, said fair being scheduled to open during April, 1939, and

WHEREAS, numerous states and foreign countries will participate in said fair, and

WHEREAS, the Lincoln Cathedral Choir is a non-sectarian organization composed of students of the University of Nebraska, residing in all parts of the state of Nebraska, selected by reason of their exceptional talent and ability, and

WHEREAS, such choir truly represents the finest traditions of the youth and talent of the state of Nebraska, and

WHEREAS, the patrons of said choir have made financial arrangements to send the choir to said fair, and

WHEREAS on recent eastern tours, the Lincoln Cathedral Choir has been highly acclaimed by critics as the finest organization of its kind in the country, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That the Lincoln Cathedral Choir is hereby designated as the official representative of the state of Nebraska at the New York World's Fair.

2. That a copy of this resolution be spread at large on the Journal of this Legislature; and that the Clerk of this Legislature be directed to forward a copy of this resolution, properly authenticated and suitably engrossed to Mr. John M. Rosborough, Director of the Lincoln Cathedral Choir as his credentials to present said choir at the New York World's Fair as the official representative of the state of Nebraska.

MOTION—To Suspend Rules and Adopt Resolution

Mr. President: I move the rules be suspended and that Legislative Resolution No. 19 be adopted. Miller.

The motion prevailed with 36 ayes, no nays, 7 not voting.

LEGISLATIVE RESOLUTION NO. 20. Federal Statutes.

Resolution Memorializing the Congress of the United States to Correct Defects in Federal Statutes Relating to the Distribution of Food Commodities by Federal Relief Agencies.

Introduced by Tom Lambert of Platte.

Preamble

WHEREAS, the distribution of surplus food commodities and clothing to persons in need is necessary to many people in the State of Nebraska, but in many instances the distribution is not made by administrators of existing federal statutes to those of our people who are in the greatest need therefor, and

WHEREAS, the present system of distribution is costly both to the United States of America, to the State of Nebraska and to the several counties of said state participating in the distribution thereof, and

WHEREAS, large quantities of the commodities distributed are not best adapted to the needs of the people of this state, which likewise results in waste and expense, and

WHEREAS, the system of distribution results in diminishing the volume of wholesale and retail sales of commodities in the State of Nebraska, and the total cost of distribution more than equals the profit of regular Nebraska dealers and merchants, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That this Legislature respectfully petitions, memorializes and urges the Congress of the United States to enact such measures as will correct the objections recited in the preamble to this resolution; that direct grants be made to the several states for the purchase of such commodities of such kind and quality as are most adapted to the needs of such recipients; and that such commodities be distributed to persons found eligible and in need through regular commercial channels of trade by the issuance of purchase orders upon merchants and business establishments operating in the State of Nebraska and offering for sale at points of consumption such commodities.

2. That the Clerk of this Legislature is hereby ordered and directed forthwith to forward a copy of this resolution, properly authenticated and suitably engrossed, to the President of the United States; to the Vice President of the United States as presiding officer of the United States Senate; to the Speaker of the House of Representatives of the United States; and to each of the United States Senators and Congressmen representing the State of Nebraska in the Congress, to the end that representatives in the government and the Congress of the United States may be advised that this Legislature considers remedial federal legislation to correct abuses in federal laws relating to the distribution of food commodities by federal relief agencies, imperative.

MOTION—To Suspend Rules for Introduction of Bills

Mr. President: I move that the rules be suspended for the introduction of bills to be numbered L. B. No. 497, L. B. No. 498 and L. B. No. 499 relating to highways and appropriations therefor. (Signed) Gantz.

A call of the House was ordered.

The call was raised.

A two-thirds majority having failed to vote in the affirmative, the motion was lost with 21 ayes, no nays, 22 not voting.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 111.

A bill for an Act to amend Secs. 39-1193 and 39-11,101, Comp. St. Supp., 1937, relating to rules of the road for motor vehicles; to prohibit the operation of any motor vehicle upon any public highway outside the corporate limits of any city or village in excess of sixty miles per hour between the hours of sunrise and sunset and not exceeding fifty miles per hour between the hours of sunset and sunrise; to prohibit the operation of any vehicle towing a trailer or semi-trailer or of a freight-carrying vehicle, if the gross weight of said freight-carrying vehicle towing a trailer or semi-trailer and any load thereon is more than five tons at a speed exceeding forty miles per hour; and to repeal said original sections.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 41:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Howard
Herrick
Johnson
Johnston
Klaver
Lambert
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 2: Mekota Thomas

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Statement for Journal

Mr. President: I did not vote on L. B. No. 111 because I favor the substance but cannot approve the form. (Signed) Mekota.

SELECT FILE

LEGISLATIVE BILL NO. 420. Referred to E and R for engrossment.

GENERAL FILE

Unanimous consent was granted to consider L. B. No. 492.

LEGISLATIVE BILL NO. 492. Read and considered.

Mr. Brady offered the following amendments which were adopted:

1. Amend the printed bill, page 1, Section 1, line 1 by inserting after the figures and punctuation "1937," therein the following:

"as amended by Section 1, Legislative Bill No. 52, Fifty-third Session, Nebraska State Legislature, 1939,".

2. Amend the printed bill, page 1, Section 1, line 14 by striking therefrom the words "be refunded to such manufacturer" and by inserting in lieu thereof the punctuation ",".

3. Amend the printed bill, page 2, Section 1, line 18 by inserting after the word "Nebraska" therein the following: **", be exempt from taxation"**.

4. Amend the printed bill, page 2, Section 1, line 22 by inserting after the word and punctuation "alcohol," therein the following: "or wine,".

5. Amend the printed bill, page 2, Section 1, lines 23 and 24 by striking therefrom the following: "~~Section 2~~ **Sec. 53-302, Comp. St. Supp., 1937, as amended"**

and by inserting in lieu thereof the following: "Sec. 53-302, Comp. St. Supp., 1937, **as now existing or as hereafter amended"**.

6. Amend the printed bill, page 3, Section 1, lines 53 and 54 by striking therefrom the following: "~~Section 4 (66-411) Legislative Bill No. 158, Fifty-second Session, Nebraska State Legislature~~ **Sec. 66-411, Comp. St. Supp., 1937, as amended"** and by inserting in lieu thereof the following: "Sec. 66-411, Comp. St. Supp., 1937, as now existing, or as hereafter amended".

7. Amend the printed bill, page 3, Section 2, line 1 by inserting immediately after the figures and punctuation "1937," therein the fol-

lowing: "as amended by Section 1, Legislative Bill No. 52, Fifty-third Session, Nebraska State Legislature, 1939,".

8. Amend the printed bill, page 1, title, line 2 by striking therefrom the words and punctuation "relating to liquor;" and by inserting in lieu thereof the following: "as amended by Section 1, Legislative Bill No. 52, Fifty-third Session, Nebraska State Legislature, 1939; to provide that manufacturers or distributors at wholesale of alcoholic liquors shall be exempt from the gallonage tax imposed on said liquors, shipped by them for sale and consumption outside the state of Nebraska;".

9. Amend the printed bill, page 1, title, line 7 by inserting after the word "section" therein the words "as amended".

Unanimous consent was granted to show that the bill was introduced by Committee on Appropriations instead of Frank J. Brady of Holt.

Referred to E and R for review.

LEGISLATIVE BILL NO. 288. Read and considered.

Mr. Diers moved to refer to E and R for review.

Mr. Mekota moved to indefinitely postpone.

The Mekota motion was lost.

Mr. Diers moved to refer to E and R for review.

The motion prevailed with 25 ayes, 12 nays, 6 not voting.

LEGISLATIVE BILL NO. 389.

Doyle amendment numbered 3 found in the Legislative Journal for the Fifty-fourth day was adopted.

John Adams, Jr. offered the following amendment:

Amend L. B. No. 389, page 3, line 31 by striking all new matter beginning with the word "and" at the beginning of line 31 down to and including the word "control" in line 32. Strike all new matter in line 35 beginning with the word "and" after the word "case" down to and including the word "control" in line 36 and 37.

No action taken thereon.

Adjournment

At 12:00 m. on motion by Mr. Gantz the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FIFTY-SIXTH DAY

Legislative Chamber,
Lincoln, Nebraska, March 23, 1939.

The Legislature met at 9:04 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Thomas who was excused.

The Journal for the Fifty-fifth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Carsten, one opposing L. B. No. 214; Mr. Mueller, one, opposing any license fee on farm tractors; Mr. Neubauer, one, favoring L. B. No. 409; Mr. Gross, one, opposing L. B. No. 377; Mr. Klaver, one, favoring L. B. No. 125; all members, two, asking exemption of taxes on woodlands.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. No. 60, Wednesday, March 29, 1939, 2:00 p. m.

L. B. No. 323, Wednesday, March 29, 1939, 2:00 p. m.

L. B. No. 325, Wednesday, March 29, 1939, 2:00 p. m.

L. B. No. 328, Wednesday, March 29, 1939, 2:00 p. m.

L. B. No. 336, Wednesday, March 29, 1939, 2:00 p. m.

L. B. No. 337, Wednesday, March 29, 1939, 2:00 p. m.

L. B. No. 393, Wednesday, March 29, 1939, 2:00 p. m.

L. B. No. 396, Wednesday, March 29, 1939, 2:00 p. m.

L. B. No. 449, Wednesday, March 29, 1939, 2:00 p. m.

L. B. No. 496, Wednesday, March 29, 1939, 2:00 p. m.

Public Health and Miscellaneous Subjects

L. B. No. 476, Wednesday, March 29, 1939, 2:00 p. m.

L. B. No. 373, Wednesday, March 29, 1939, 2:00 p. m.

Public Works

L. B. No. 155, Friday, March 31, 1939, 2:00 p. m.

L. B. No. 184, Friday, March 31, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Appropriations

LEGISLATIVE BILL NO. 100. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 100:

1. Amend the original bill, page 1 (the printed bill, page 1) by striking all of Sections 1 and 2 thereon and by inserting in lieu thereof the following:

"Section 1. That the Department of Roads and Irrigation of the state of Nebraska is hereby authorized and directed to purchase or to complete the purchase of any and all toll bridges now existing wholly within the state of Nebraska and crossed by any federal or state highway and to make such bridge or bridges a part of the state highway system free of toll.

Sec. 2. That any money available out of that part of the gasoline tax fund which has been or shall be appropriated for the construction of federal and state highways, be used for the purchase of or to complete the purchase of such toll bridge or bridges not, however, exceeding the sum of sixty-three thousand dollars."

2. Amend the original bill, page 1, title (the printed bill, page 1, title) by striking all of said title after the word "ACT" in line 2 of the

original bill (line 2 of the printed bill) and by inserting in lieu thereof the following:

"to authorize and direct the purchase, completion of purchase or condemnation for the state highway system of intrastate toll bridges out of the state gasoline tax fund."

(Signed) Brady, Chairman.

Banking, Commerce and Insurance

LEGISLATIVE BILL NO. 231. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 231:

1. Amend the original bill, page 2, Section 1, line 32 (the printed bill, page 2, Section 1, line 24) by striking the word "**five**" therein and by inserting in lieu thereof the word "**fifteen**".

2. Amend the original bill, page 4, Section 2 (the printed bill, page 3, Section 2) by striking that part of said section commencing with the word "**bonds**" in line 56 of the original bill (the printed bill, line 41) down to and including the word "**States**" in line 58 of the original bill (line 42 of the printed bill) and by inserting in lieu thereof the following:

"**bonds, notes, certificates of indebtedness and treasury bills of the United States government of any issue, or obligations fully and unconditionally guaranteed both as to principal and interest by the United States**".

3. Amend the original bill, page 4, Section 2, line 65 the printed bill, page 3, Section 2, line 47) by inserting after the word "**some**" therein the following:

"**federal reserve bank or branch thereof or some other**".

LEGISLATIVE BILL NO. 436. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 436:

1. Amend the original bill, pages 2 and 3 (the printed bill, page 2) by striking all of said Section 5 and by inserting in lieu thereof the following:

"Sec. 5. Every registration of fictitious name, within thirty days from the time of registration of such fictitious name with the secretary of state, shall be posted in the office of the secretary of state and shall be published by applicant at least once a week for three consecutive weeks in a legal newspaper of general circulation published in the city or village where the said business is to be located, or if there is no legal newspaper in said city or village, then said notice shall be published in some other newspaper of general circulation in the county. Any person who shall engage in or transact any business in this state under a fictitious name and who shall fail to publish notice of registration thereof, as in this section required, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished as provided in Section 6 of this Act."

(Signed) Hall, Chairman.

Labor and Public Welfare

LEGISLATIVE BILL NO. 136. Indefinitely postponed.

LEGISLATIVE BILL NO. 177. Indefinitely postponed.

LEGISLATIVE BILL NO. 464. Indefinitely postponed.

LEGISLATIVE BILL NO. 477. Indefinitely postponed.

LEGISLATIVE BILL NO. 262. Placed on General File.

(Signed) Dunn, Chairman.

Public Works

LEGISLATIVE BILL NO. 331. Placed on General File.

LEGISLATIVE BILL NO. 29. Indefinitely postponed.

LEGISLATIVE BILL NO. 194. Indefinitely postponed.

(Signed) Howard, Chairman.

RESOLUTIONS

MOTION—To Adopt Legislative Resolution No. 20

Mr. President: I move that Legislative Resolution No. 20 be adopted. (Signed) Lambert.

The motion prevailed with 30 ayes, 2 nays, 11 not voting.

Statement for Journal

Mr. President: Being a merchant, I am not voting on this resolution because if voting in the affirmative, it might appear to be for selfish reasons. (Signed) Doyle.

LEGISLATIVE RESOLUTION NO. 21. Nebraska License Plates.

Resolution Concerning Design of Nebraska License Plates.

Introduced by E. M. Von Seggern of Cuming, Harry E. Gantz of Box Butte, Charles F. Tvrdik of Douglas.

WHEREAS, some other states of the United States are using license plates which are distinctive of said states, and

WHEREAS, the members of this Legislature have received requests for a distinctive license plate for Nebraska to replace the present Nebraska plate, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

That the members of this Legislature authorize the Department of Roads and Irrigation to include on the Nebraska license plates, beginning in 1940, the State Capitol outline.

Approved by Governor

March 21st, 1939.

To the Members of the Legislature:

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bill:

Legislative Bill No. 203.

Respectfully submitted,
(Signed) Otho K. De Vilbiss
Secretary to the Governor.

SELECT FILE

LEGISLATIVE BILL NO. 214. E and R amendments as found in the Legislative Journal for the Fifty-fifth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 341. Mr. Johnson moved to indefinitely postpone.

A call of the House was ordered.

The call was raised.

Vote was taken and the motion prevailed with 17 ayes, 16 nays, 10 not voting.

LEGISLATIVE BILL NO. 235. E and R amendments as found in the Legislative Journal for the Fifty-fifth Day were adopted.

Laid over.

MOTION—To Change Position on General File

Mr. President: I move that L. B. 447 and L. B. 264 be moved on General File following L. B. No. 338. (Signed) Dunn.

The motion was lost.

GENERAL FILE

LEGISLATIVE BILL NO. 389. The amendments offered by John Adams, Jr. on the Fifty-fifth Day were withdrawn.

Mr. Doyle made the following motion: To amend the printed bill, page 3, Section 2, line 37 by inserting after the syllable and punctuation "trol." and before the word "If" therein the following:

The term "need", as used in Chapters 43 and 68, Compiled Statutes of Nebraska for 1929, as amended, or applied in the administration of the public assistance laws of the State, shall mean the need for assistance based upon the budgetary deficiency requirements of a needy individual eligible for assistance under said assistance laws, determined upon proper investigation and necessary for his maintenance in decency and health taking into consideration his requirements for rent, food, clothing, shelter, fuel, light, water, household equipment, and supplies, health, education, and such other factors as may be pertinent.

Mr. Diers moved to amend the Doyle motion as follows:

By striking, in line 4, the letter "s" in the word "Chapters" and the figures "43" and the word "and".

The Diers motion prevailed.

Mr. Doyle's motion, as amended, prevailed and the amendment was adopted.

Mr. Doyle's amendment No. 5, offered on the Fifty-fourth Day was adopted.

The following amendment offered by Mr. Herrick was adopted:

Amend L. B. No. 389, page 2, line 17 (printed bill) by striking the words "or other relatives".

The following amendment offered by J. Adams, Jr. was adopted:

Strike all new matter in line 35 beginning with the word "and" after the word "case" down to and including the word "control" in line 36 and 37.

The following amendment offered by Mr. Schultz was adopted:

In Section 2, page 3, line 34, following the word "derived," to insert "except that received from fraternal and charitable organizations other than private source".

Mr. Mekota offered the following amendments:

1. Amend the printed bill, page 5, by striking all of Sections 5 and 6 and by inserting in lieu thereof the following:

"Sec. 5. That Sec. 68-263, Comp. St. Supp., 1937, be amended to read as follows:

68-263. The Old Age Assistance Certificate shall remain in full force and effect until death of the holder thereof; or until and unless some change of the financial condition of the holder thereof appears from an investigation made by the Board **and after notice and hearing the Board shall make a specific finding from the evidence adduced at said hearing that there has occurred and exists as of the date of said hearing such change of holder's financial condition and circumstances that warrant a reduction in or complete withdrawal of old age assistance from said individual recipient;** or unless and until the circumstances mentioned in the first proviso of ~~Section 4 (68-260) hereof~~ **Sec. 68-260, Comp. St. Supp., 1937, as now existing or as hereafter amended,** occur. **The hearing required shall be open to the public and shall be held in the office of the Board at the time and place mentioned in the notice therefor, not less than seven and not more than thirty days from the issuance of said notice: Provided, mailing of said notice to said recipient at his or her last known address as it appears on the records of the Board shall be deemed sufficient notice of said hearing; and provided further, said notice shall recite therein the specific reason why**

said Board proposes either to reduce or to withdraw entirely the amount of assistance then being paid said recipient; and provided further, that no reduction shall be made in the amount of assistance paid nor shall any recipient of assistance have his name stricken from the assistance rolls, pending hearing and specific finding of fact by said Board, as herein required, or until the finding of said Board shall have been approved or affirmed by the Board of Control of state institutions upon appeal, if any, as provided in Sec. 68-280, Comp. St. Supp., 1937, as now existing or as hereafter amended. In the event **that the Board shall find after the hearing, as hereinbefore provided, a** ~~of any~~ change in the financial condition **or circumstances** of the holder of any such certificate ~~or upon the occurrence of or any change in the circumstances mentioned in the first proviso of Section 4 (68-260 hereof~~ the amount of the assistance shall be changed **or completely withdrawn** accordingly and ~~notice of such change~~ **a copy of said finding** shall be ~~given~~ **personally delivered** to him or her ~~as in other cases~~ **upon the completion of said hearing and determination of such finding.** It shall be the duty of the certificate holder to notify the Board of any changes in his or her financial condition. Investigation shall be made by the Board, the Director of Assistance, his agents or employees of each case from time to time and at least once a year and at any time the Director of Assistance may direct. ~~Hearing may be had at any time in connection with such investigations, if demanded by the recipient or any~~ **Any** taxpayer of the county **may appear and participate in such hearing.** Appeals shall lie from ~~any increase or decrease or change in the amount of any certificate as in other cases~~ **the said finding of fact by the Board to the Board of Control of state institutions in the manner provided in Sec. 68-280, Comp. St. Supp., 1937, as amended by Section 6 of this Act.** If the holder of any certificate shall be imprisoned or confined in any state institution, payments upon his certificate shall lapse during the period of such confinement or imprisonment, but shall be reinstated upon his or her discharge therefrom.

Sec. 6. That Sec. 68-280, Comp. St. Supp., 1937, be amended to read as follows:

68-280. In taking an appeal from any finding or final order of the Board **in the matter of issuing an Old Age Assistance Certificate in the first instance, the** ~~person~~ **applicant for said certificate** desiring to appeal **therefrom,** shall within ten days of the date of receipt by the applicant ~~or recipient~~, of notice of said findings or final order, unless extension of time be granted by said Board, file with the Board a written notice of appeal, together with his or her petition setting forth the facts and grounds of the appeal. **If any recipient of old age assistance shall feel himself or herself aggrieved by any finding of fact or final order of the Board reducing the amount of any assistance pay-**

ments to be made to him or her or withdrawing recipient from the assistance rolls, said recipient shall within ten days of the date of delivery to him or her of the copy of the finding of fact or the final order of the said Board, forward a copy of said finding of fact or final order to the Director of Assistance by mail, whereupon said appeal by said recipient shall be deemed to have been perfected and filed with the Board of Control of state institutions. Upon extending the time to file ~~the same~~ **appeals either by original applicants or recipients,** and upon the filing of ~~the same~~ **said appeals,** the Board shall forthwith notify the Director of Assistance thereof, and shall deliver to him a transcript of all papers and records filed in the case, except those with which the Director of Assistance already shall have been furnished, and said Director shall thereupon by order fix the time and place for hearing upon said appeal, which shall be not less than three nor more than six weeks from the date of said order, and the place of hearing shall be in the county in which the assistance applicant or recipient resides: **Provided, in the case the appeal be from a finding of fact or final order of the Board reducing the amount of assistance being paid or withdrawing the recipient from the assistance rolls, then the time of said hearing shall be fixed not less than ten days nor more than thirty days from the date of the order of said Board from which appeal shall have been taken.** Hearing upon such appeal shall be before the Director of Assistance or his duly authorized agent. Report of said hearing and his findings thereon shall be made by the said Director to the ~~State Assistance Committee~~ **Board of Control of state institutions** whose order in regard to the matter heard shall be final and absolute. The order of the ~~State Assistance Committee~~ **Board of Control of state institutions** shall be transmitted to the parties to the appeal and to the ~~county board~~ **Board** by the Director of Assistance and such proceedings shall be taken by the said Board as will carry into effect the order of the ~~State Assistance Committee~~ **Board of Control of state institutions.**

Sec. 7. That said original Secs. 68-258, 68-260, 68-268, 68-274, 68-263 and 68-280, Comp. St. Supp., 1937, are hereby repealed.

Sec. 8. Whereas, an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Amend the printed bill, page 1, title, by striking all of said title after the word "ACT" in line 2 and by inserting in lieu thereof the following:

"to amend Secs. 68-258, 68-260, 68-268, 68-274, 68-263 and 68-280, Comp. St. Supp., 1937, relating to public welfare and social security; to provide that every needy person while retaining his legal residence in the state of Nebraska shall be eligible to receive old age assistance if such person be found in the first instance to be or continues to be qualified as a recipient thereof under the laws governing the same; to prescribe the rules and regulations to be followed in the investigation of applications in the case of original applicants for old age assistance; to prescribe the method for the determination of the amount of assistance to be paid to applicants therefor and to recipients thereof; to provide procedure for securing reimbursement from the estates of recipients of old age assistance; to provide that the amount of assistance payments to be made to recipients thereof shall not be reduced nor shall such recipient be withdrawn from the assistance rolls except after notice and hearing before the County Assistance Board and pending such appeals, if any, as are taken from the findings of fact and the final order of said Board in the case of each individual recipient; to provide that all appeals from any final order of the County Assistance Board reducing the amount of assistance or withdrawing any recipient from the assistance rolls shall be heard not less than ten days nor more than thirty days from the issuance of the final order of said Board; to repeal said original sections; and to declare an emergency.".

No action was taken.

Visitor

Mr. Elmer C. Barnes, a former member of the Legislature from Cherry County, was introduced and addressed the Legislature briefly.

Member Excused

Mr. Von Seggern was excused from the session on Friday.

Adjournment

At 11:55 a. m. on motion by Mr. Mischke the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FIFTY-SEVENTH DAY

Legislative Chamber,
Lincoln, Nebraska, March 24, 1939.

The Legislature met at 9:10 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Von Seggern and Mr. Thomas who were excused.

The Journal for the Fifty-sixth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Neubauer, one, favoring L. B. No. 409; Mr. Tvrdik, one, opposing L. B. No. 238, one, favoring housing legislation which will permit the remodeling of older houses and apartments.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. No. 91, Wednesday, March 29, 1939, 2:00 p. m.

L. B. No. 193, Wednesday, March 29, 1939, 2:00 p. m.

L. B. No. 200, Wednesday, March 29, 1939, 2:00 p. m.

L. B. No. 268, Wednesday, March 29, 1939, 2:00 p. m.

L. B. No. 343, Friday, March 31, 1939, 2:00 p. m.

L. B. No. 349, Friday, March 31, 1939, 2:00 p. m.

L. B. No. 361, Friday, March 31, 1939, 2:00 p. m.

L. B. No. 454, Friday, March 31, 1939, 2:00 p. m.

L. B. No. 246, Monday, April 3, 1939, 2:00 p. m.

L. B. No. 342, Monday, April 3, 1939, 2:00 p. m.

L. B. No. 385, Monday, April 3, 1939, 2:00 p. m.

L. B. No. 404, Monday, April 3, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Appropriations

LEGISLATIVE BILL NO. 312. Indefinitely postponed.

LEGISLATIVE BILL NO. 493. Placed on General File.

LEGISLATIVE BILL NO. 494. Placed on General File.
(Signed) Brady, Chairman.

Agriculture

LEGISLATIVE BILL NO. 287. Indefinitely postponed.

LEGISLATIVE BILL NO. 321. Indefinitely postponed.

LEGISLATIVE BILL NO. 409. Indefinitely postponed.
(Signed) Neubauer, Chairman.

Government

LEGISLATIVE BILL NO. 345. Placed on General File.

LEGISLATIVE BILL NO. 346. Placed on General File.

LEGISLATIVE BILL NO. 150. Placed on General File.

LEGISLATIVE BILL NO. 458. Placed on General File.

LEGISLATIVE BILL NO. 54. Indefinitely postponed.

LEGISLATIVE BILL NO. 73. Indefinitely postponed.

LEGISLATIVE BILL NO. 285. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 285:

1. Amend the original bill, page 1, (the printed bill, page 1) by striking all of Section 2 thereon and by inserting in lieu thereof the following:

"Sec. 2. All records, books, files, equipment and other valuables and effects, including all criminal identification equipment, documents and data pertaining to the same, now in the custody of the state sheriff, any deputy state sheriff, or any other assistant to the state sheriff shall, forthwith upon the effective date of this Act, be delivered to the governor who shall place the same under the care, custody and control of the captain of the Nebraska Safety Patrol.

Sec. 3. The governor, through the agency of the Nebraska Safety Patrol, shall enforce the provisions of Sections 29-208, 29-209 and 29-210, Compiled Statutes of Nebraska, 1929, pertaining to criminal identification and investigation. The governor is hereby directed and authorized to call to his assistance and to appoint a sufficient number of persons to membership in the Nebraska Safety Patrol necessary to enforce the provisions of the criminal laws pertaining to felonies and high misdemeanors, in any case of emergency either upon his own motion or upon request for such assistance from the local governing body of any city, village or county whose officers are charged with the enforcement of said felonies or high misdemeanors: **Provided,** neither the governor nor any member of the Nebraska Safety Patrol shall be required to aid in the enforcement of city or village ordinances or other criminal laws relating to trifling or petty offenses.

Sec. 4. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law."

2. Amend the original bill, page 1, title, line 5, (the printed bill, page 1, title, line 4) by inserting after the word and punctuation "sheriff;" therein the following:

"to prescribe the duties of the governor and members of the Nebraska Safety Patrol in the matter of assisting in the enforcement of criminal laws of the state pertaining to felonies and high misdemeanors; and to declare an emergency."

LEGISLATIVE BILL NO. 286. Placed on General File with amendments.

(Standing Committee amendments mimeographed in lieu of printing in Journal)

LEGISLATIVE BILL NO. 238. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 238:

1. Amend the original bill, pages 2 and 3, Section 1 (the printed bill, page 2, Section 1) by striking all of the new matter appearing in lines 35 to 39, inclusive, of the original bill (lines 29 to 33 in the printed bill) and by inserting in lieu thereof the following:

"The Board of Control of state institutions shall have authority to establish a personnel merit system and to establish reasonable rules and regulations covering the administration of said merit system as well as all phases of the administration of the state assistance program, and said reasonable rules and regulations shall be binding upon the counties and state."

2. Amend the original bill, page 1, title, line 4 (the printed bill, page 1, title, line 3) by striking all of said title after the word and punctuation "security;" therein by inserting in lieu thereof the following:

"to empower the Board of Control of state institutions with authority to establish a personnel merit system and to establish reasonable rules and regulations covering the administration thereof as well as all phases of the administration of the state assistance program; to provide that said reasonable rules and regulations shall be binding upon the counties and state; to repeal said original section; and to declare an emergency."

(Signed) Gross, Vice Chairman.

Public Works

LEGISLATIVE BILL NO. 294. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 294:

1. Amend the original bill, page 1, Section 1, lines 6 and 7, (the printed bill, page 1, Section 1, line 5) by striking therefrom the words "either private or public authority" and by inserting in lieu thereof the words "private persons or corporations".

2. Amend the original bill, page 1, title, lines 9 and 10 (the printed bill, page 1, title, line 6) by striking therefrom the words "either private or public authority" and by inserting in lieu thereof the words "private persons or corporations".

(Signed) Howard, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 111. Correctly enrolled.

Presented to Governor for Approval

Friday, March 24, 1939 at 9:25 a. m.

L. B. No. 25 L. B. No. 23
L. B. No. 24 L. B. No. 139 L. B. No. 26

(Signed) Craven, Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill No. 111.

MOTION—To Suspend Rules for the Introduction of Bill

Mr. President: I move that the rules be suspended to permit the introduction of a bill relating to municipal corporations. Mekota.

The motion prevailed with 35 ayes, no nays, 8 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 497. By Mekota of Saline.
By special order of the Legislature.

A bill for an Act relating to municipal corporations; to authorize cities and villages to establish and maintain cold storage or refrigeration plants; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 497 be read the second time now. Mekota.

The motion prevailed with 35 ayes, no nays, 8 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title.

(For title see Bills on First Reading)

LEGISLATIVE BILL NO. 497. Referred to Committee on Government.

Request for Unanimous Consent

Mr. President: I ask that unanimous consent be granted to move L. B. No. 125 on General File following L. B. No. 338. (Signed) Klaver.

Objection was raised.

MOTION—To Change Position on General File

Mr. President: I move that L. B. No. 125, L. B. No. 486 and L. B. No. 487 be advanced on General File to a place immediately following L. B. No. 338. (Signed) Klaver, Tvrdik.

The motion prevailed with 35 ayes, no nays, 8 not voting.

The Legislature was at ease for ten minutes.

MOTION—To Make Special Order of Business

Mr. President: I move that L. B. No. 2 be made special order of business, April 3, 1939 at 10:00 a. m. (Signed) Hall.

The motion prevailed with 34 ayes, 2 nays, 7 not voting.

MOTION—To Change Position on General File

Mr. President: I move that L. B. No. 447 and L. B. No. 264 be advanced on General File immediately following L. B. 487. (Signed) Dunn.

The motion prevailed with 23 ayes, 2 nays, 18 not voting.

MOTION—To Reinstate Committee on Social Security Legislation

Mr. President: I move that the Committee on Social Security Legislation be reinstated and that they work in conjunction with Mr. Vandemoer and the Attorney General's office in bringing to this body the necessary and legal amendments to these bills. (Signed) Diers.

The motion prevailed.

The members on said committee are

Schultz, Chairman	Rossiter	Murphy

SELECT FILE

LEGISLATIVE BILL NO. 235. Passed over.

GENERAL FILE

LEGISLATIVE BILL NO. 389. The Mekota amendments as found in the Legislative Journal for the Fifty-sixth Day were adopted.

Mr. Schultz offered the following amendment, which was adopted:

To add the words "food or fuel," following the word "temporary" in line 16, Sec. 1, page 2 of printed bill.

J. Adams, Jr. offered the following amendment, which was adopted:

Amend the Doyle amendment to the title line 9, (No. 5 offered on the Fifty-fourth Day and adopted on the Fifty-sixth Day) by striking from his amendment after the word "need" the following words; "as it is applied under the provisions of Sec. 68-325, Comp. St. Supp., 1937, as amended".

Mr. Gantz moved that the Legislature reconsider its action of the Fifty-sixth Day on the Herrick amendment.

The motion prevailed with 26 ayes, 6 nays, 11 not voting.

After reconsideration the Herrick amendment of the Fifty-sixth Day was rejected with 5 ayes, 27 nays, 11 not voting.

Mr. Gantz offered the following amendment, which was adopted:

That subsection "e" of Sec. 1, L. B. 389, line 17 of the printed bill, be amended by inserting the words "as defined by Section 68-102, Compiled Statutes of Nebraska, 1929" after the word "relatives".

Mr. Murphy moved that L. B. 389 be mimeographed and placed on the desks of the members and that the special committee be authorized to take it under consideration immediately.

The motion prevailed.

Invitation

Mr. Sorrell and Mr. Reavis extended an invitation to the Legislature to attend a banquet at Talmage, Nebraska, on Thursday, March 30, 1939, as guests of the Taxpayers League, Farmers Union and the Talmage Chamber of Commerce.

On motion by Mr. Sorrell and Mr. Reavis the invitation was accepted.

Member Excused

Mr. Brady was excused at 10:30 a. m. for the remainder of the morning.

Recess

At 12:15 p. m. on motion by Mr. Schultz the Legislature recessed until 4:30 p. m.

After Recess

The Legislature reconvened at 4:30 p. m. President Johnson presiding.

The roll was called and all members were present except Mr. Doyle, Mr. Diers, Mr. Von Seggern and Mr. Thomas who were excused.

Social Security Legislation

John Adams, Jr. read a letter from Congressman McLaughlin in regard to social security legislation required to meet federal requirements.

Mr. Mueller read a letter from Congressman Curtis and some letters from officials of other states on the same subject.

MOTION—To Include Letters and Telegram in Journal

Mr. President: I move that the letter written to Congressman McLaughlin, his telegram in reply thereto, and the pertinent part of the letters read by Mr. Mueller be printed in the Journal. Brady.

The motion prevailed.

The correspondence mentioned follows:

Omaha, Nebraska
March 23. 1939

United States Congressman
Charles F. McLaughlin
Congressman from Nebraska
Washington, D. C.

My Dear Friend:

We are having quite a controversy in Nebraska as to whether it is a condition precedent that the Nebraska Legislature pass a Merit System or else we will not receive any more Federal Old Age Assistance funds from the government.

I understand someone from Washington appeared before a special senate committee and informed this committee that Section 2A, paragraph 5 of Public No. 271—74th Congress (H. R. 7260) (5) "provide such methods of administration (other than those relating to selection, tenure of office, and compensation of personnel) as are found by the Board to be necessary for the efficient operation of the plan", gives them this right to demand the state set up a Merit System. In my opinion only by the wildest imagination could you interpret paragraph 5 to such meaning. I can reconcile the government stepping in under Section 1102, Rules and Regulations, that is if the program wasn't handled in an efficient manner.

The Legislators are against the Bill but are being forced to pass same by this 'must' legislation from Washington.

Will you kindly contact the head of the Social Security Program and advise me at once by wire, address 1615 Harney Street, 3rd Floor, Omaha, Nebraska, whether or not Nebraska Legislature has to pass a Merit System bill as a condition precedent for Nebraska to receive any more Old Age Assistance funds.

Yours very truly,

(Signed)

Patrick W. O'Connor, Attorney

PWO:MD

Telegram in answer to O'Connor letter:

1939 MAR 24 AM 11 20

OM8 67 DL Govt-HF Washington DC 24 1125A

Patrick W O'Connor -

Attorney 1615 Harney St 3rd Floor -

RE LETTER OLD AGE ASSISTANCE FUND SOCIAL SECURITY BOARD ADVISES UNDER EXISTING FEDERAL LAW NEBRASKA DOES NOT HAVE TO PASS MERIT SYSTEM BILL AS CONDITION PRECEDENT TO RECEIVING OLD AGE ASSISTANCE FUNDS. BILLS NOW PENDING BEFORE CIVIL SERVICE COMMITTEE HOUSE OF REPRESENTATIVES HERE TO REQUIRE PASSAGE SUCH EXAMINATION BY STATES. THESE BILLS NOT YET ACTED UPON BY COMMITTEE AND THEREFORE NOT YET BEFORE THE HOUSE FOR CONSIDERATION -

CHARLES F McLAUGHLIN MEMBER OF CONGRESS

Letter from Congressman Carl T. Curtis:

"I have taken this matter up here in Washington, and this is what I find. I conferred with William M. Galvin, who is Chief of Field Operations in the office of the executive director of the Social Security Board. Mr. Galvin tells me that it is one of the requirements of the Federal Government, that these employees must be residents of the state in which they are employed. They hold a Civil Service status.

Mr. Galvins's office further told me that they have a regional office that is in charge of Mr. Fred M. Wilcox, whose office is in the Federal Office Building at Minneapolis. He said that Mr. Wilcox's office was required to follow the same practice and the employees in a state be residents of that state.

My information then, is to this effect, that all of these employees that are paid by the federal government are subject to the rule that they must be residents of the state of which they are employed. I was further informed that if these employees working out of our state assistance office are paid by Nebraska funds, that their selection rests entirely with the state administrator. In that case, it would be Mr.

Neil C. Vandemoer. If the information I have is correct, then it is entirely within the power of Mr. Vandemoer to confine all of his appointments for this work to residents of the state of Nebraska.

Please check this over and if I am in error, write me in detail about it, and I will again take it up with these federal offices. I am glad that you called upon me and I want you to do it often."

Yours truly,

(Signed) Carl T. Curtis

Letter from John R. Irwin, Speaker of the House of Representatives, Iowa:

"In your letter you set out one proposal, "The Board of Control shall have authority to make rules and regulations binding upon the county and State Assistance Department governing qualifications of personnel and the reporting of statistical and accounting information relative to public welfare administration."

"As far as I am able to learn no such request has come from the federal government for legislation of this sort in Iowa. To date no such bill has been introduced, and I am informed by officials on our State Board of Welfare that there has been no pressure on them to request such legislation in Iowa.

This no doubt is because Iowa in the past has been unwilling to change its law or procedure merely to meet the requests of the Federal Bureau of Public Assistance."

Very sincerely,

(Signed) John R. Irwin

Letter by Mr. Mueller to Speaker of House of Representatives of Arkansas, with answers:

"The writer would appreciate if you would advise him by air mail at once as to the following:

1. Has the Federal Social Security Board required establishment of merit system for the state and county assistance personnel? - No

2. Does your state have such a merit system now? - No

3. Has the federal government threatened to withhold federal matching of funds unless above requirements were met? - No"

Very truly yours

Letter from E. A. Briles, Speaker of House of Representatives of Kansas:

"We are not now operating under any formal merit system."

Sincerely
(Signed) E. A. Briles,
Speaker of the House

GENERAL FILE

LEGISLATIVE BILL NO. 489. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 493. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 494. Read and considered.

Mr. Callan offered the following amendments, which were adopted:

Amend Sec. 2, line 29, (printed bill) after the word "Fund" insert the following; "from all sources as may now be provided by law or may hereafter be provided by law".

Amend Sec. 3, line 4, by striking 440,000 and insert in lieu thereof 640,000.

Amend Sec. 4, line 6 by striking 440,000 and insert in lieu thereof 640,000.

Referred to E and R for review.

Adjournment

At 5:35 p. m. on motion by Mr. Gantz the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FIFTY-EIGHTH DAY

Legislative Chamber,
Lincoln, Nebraska, March 27, 1939.

The Legislature met at 9:06 a. m. President Johnson presiding.

Reverend L. A. Moore of Lincoln led the Legislature in prayer.

The roll was called and all members were present except Mr. Norman and except Mr. Thomas who was excused.

The Journal for the Fifty-seventh Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Mueller, two, favoring L. B. No. 409; Mr. Diers, one, favoring L. B. No. 409, one, favoring L. B. No. 202; all members, four, favoring L. B. No. 409.

Communications

Forty-three telegrams, favoring L. B. No. 409 and addressed to the Clerk of the Legislature, were read.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. No. 216, Friday, March 31, 1939, 2:00 p. m.

L. B. No. 250, Friday, March 31, 1939, 2:00 p. m.

L. B. No. 296, Friday, March 31, 1939, 2:00 p. m.

L. B. No. 307, Friday, March 31, 1939, 2:00 p. m.

L. B. No. 308, Friday, March 31, 1939, 2:00 p. m.

L. B. No. 440, Friday, March 31, 1939, 2:00 p. m.

L. B. No. 441, Friday, March 31, 1939, 2:00 p. m.

L. B. No. 459, Friday, March 31, 1939, 2:00 p. m.

L. B. No. 463, Friday, March 31, 1939, 2:00 p. m.

L. B. No. 497, Friday, March 31, 1939, 2:00 p. m.

Public Works

L. B. No. 184, Friday, March 31, 1939, 2:00 p. m.

L. B. No. 495, Friday, March 31, 1939, 2:00 p. m.

Committee on Committees

Reappointment of Mrs. Evelyn A. Ryan of Grand Island, Nebraska, as a member of the Board of Education of State Normal Schools for the term ending January, 1945, Friday, March 31, at 2:00 p. m.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL NO. 303. Placed on General File.

LEGISLATIVE BILL NO. 330. Placed on General File.

LEGISLATIVE BILL NO. 374. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 374:

1. Amend the original bill, pages 1, 2 and 3 (the printed bill, pages 1, 2 and 3,) by striking all of Sections 1 to 5 inclusive, thereon and by inserting in lieu thereof the following:

"Section 1. That Section 14-1028, Compiled Statutes of Nebraska. 1929, be amended to read as follows:

14-1028. This ~~act~~ **Act** shall apply wherever a metropolitan city has proceedings now pending, or may be hereafter instituted to acquire a gas plant or electric plant, either by condemnation, purchase or construction, and said metropolitan water district shall have supreme and paramount authority respecting the possession, operation and construction of such gas plant or electric plant. Said board of directors of said metropolitan water district are hereby empowered to adopt all necessary rules and regulations for the operation and conducting of the business and affairs of such gas plant or electric plant for the purpose of supplying gas or electricity, as the case may be, for light, heat and power purposes for public and private use in said metropolitan city, and to fix the prices to be charged therefore;: ~~provided~~ **Provided,** that the price to be charged for gas or electricity furnished the city for street lighting shall be agreed upon between the city and the metropolitan water district, and, in the event of the failure of said parties to so agree, said price shall be fixed by the Nebraska state railway commission, and, when so fixed, shall be binding upon both parties. **In addition to all other proper subjects for rules and regulations, the said board of directors of said metropolitan water district may adopt rules and regulations in the interest of public health and safety relating to the use and installation and maintenance of piping, equipment and appliances on the premises of consumers. All rules and regulations shall be published once in the official paper of the particular city within such district and shall thereafter be kept posted at the main office of the district for public inspection, and when so adopted, published and posted, shall have the same legal force and effect as a city ordinance and shall be binding upon the consumers of the district as one of the conditions to their service: Provided, nothing in this section contained shall be construed to prevent any qualified person or persons from installing or maintaining appliances in connection with any of the public utilities mentioned herein.**

Sec. 2. That Section 14-1103, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

14-1103. All the powers heretofore conferred upon metropolitan water districts shall extend and apply to gas plants and other public utilities which ~~now~~ may be under the management and control of a metropolitan water district, as fully and effectually as if such gas plant or other public utility had been specifically named in the statute laws of the state creating or relating to metropolitan water districts, and all such powers, obligations, rights and authority shall become and are hereby vested in metropolitan utilities districts; but no change from the use of manufactured gas, to the supply and use of natural gas shall be made by such metropolitan utilities district until the proposition for making such change shall have been submitted to a vote of the electors of said district, to be called and held in the manner provided in Section ~~3763 of the Compiled Statutes of Nebraska for the year 1922,~~ (14-1019), **Compiled Statutes of Nebraska, 1929, as the same now exists, or as hereafter amended,** relating to the issuance of bonds. Whenever such a proposition shall receive the affirmative vote of the majority of the votes cast upon such proposition, the directors of said metropolitan utilities district shall have power to proceed in accordance with the authority contained in such proposition and not otherwise : **Provided, the board of directors of the metropolitan utilities district shall have the power, if they deem it advisable and economical, to employ such quantity of natural gas in connection with the manufacture of water gas as is necessary to increase the heating value of the manufactured gas to eight hundred British Thermal Units per cubic foot, said quantity of natural gas so employed never totaling more than seventy-five per cent enrichment.**

Sec. 3. That Section 14-1104, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

14-1104. That metropolitan utilities districts may, when deemed necessary by a resolution of the board of directors, temporarily loan the funds of one utility to the **fund** of another utility under its control, at a rate of interest of not less than 4 per cent per annum, and may also have authority, in the case of emergency, by resolution of its board of directors, to borrow money, but the amount so borrowed shall at no time exceed ~~$150,000~~ **five hundred thousand dollars.**

Sec. 4. That said original Sections 14-1028, 14-1103 and 14-1104, Compiled Statutes of Nebraska, 1929, are hereby repealed."

2. Amend the original bill, page 1, title (the printed bill, page 1, title) by striking all of said title after the word "ACT" in line 2 of the original bill (line 2 of the printed bill) therein and by inserting in lieu thereof the following:

"to amend Sections 14-1028, 14-1103 and 14-1104, Compiled Statutes of Nebraska, 1929, relating to metropolitan water districts and metropolitan utilities districts in cities of the metropolitan class; to empower the board of directors of said districts to make rules and regulations as to the use, installation and maintenance of piping, equipment and appliances on the premises of consumers, in the interest of public health and safety; to provide that said rules and regulations, when adopted, published and posted shall have the same force and effect as a city ordinance; to empower the board of directors of such metropolitan utilities districts to employ such quantity of natural gas in connection with the manufacture of water gas as is necessary to increase the heating value of the manufactured gas to eight hundred British Thermal Units; to grant the board of directors of said metropolitan utilities districts, by resolution, authority to borrow money in case of emergency, the amount so borrowed not to exceed five hundred thousand dollars at any one time; and to repeal said original sections."

LEGISLATIVE BILL NO. 432. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 432:

1. Amend the original bill, page 2, (the printed bill, page 1) by striking all of lines 1 and 2, Section 1, of the original bill (lines 1 and 2, Section 1, of the printed bill) and by inserting in lieu thereof the following:

"Section 1. That Sec. 66-701, Comp. St. Supp., 1937, be amended to read as follows:"

2. Amend the original bill, page 2, Section 1, line 3, (the printed bill, page 1, Section 1, line 3) by striking therefrom the following: "Section 66-701" and by inserting in lieu thereof: "66-701".

3. Amend the original bill, page 2, Section 1, line 11, (the printed bill, page 1, Section 1, line 9) by inserting the punctuation "," after the word "thereof" therein.

4. Amend the original bill, page 2, Section 1, line 12, (the printed bill, page 1, Section 1, lines 9 and 10) by striking therefrom "One Hundred Dollars ($100.00)" and by inserting in lieu thereof the words "**one hundred dollars**".

5. Amend the original bill, page 2, Section 1, line 13, (the printed bill, page 1, Section 1, line 10) by striking therefrom the following: "Five Hundred Dollars ($500.00)" therein and by inserting in lieu thereof the words "**five hundred dollars**".

6. Amend the original bill, pages 2 and 3, (the printed bill, pages 1 and 2) by striking that part of said section commencing with the punctuation "." in line 14 of the original bill (line 11 of the printed bill) down to and including the word and punctuation "however," in line 28 of the original bill(line 22 of the printed bill) and by inserting in lieu thereof the following:

"**or both: Provided, that the Department of Agriculture and Inspection, or its successor, if any, for the purpose of administering the provisions of this Act, may, after due proof of the need therefor and after having satisfied itself of the responsibility and reliability of the applicant, issue a permit to any person, firm, corporation or association operating a motor vehicle with a carrying capacity in excess of**

nine hundred gallons to make deliveries into storage tanks or other equipment within said hours; and said permit so issued shall remain in full force and effect for a period of one year from date of issue unless sooner cancelled or revoked by said department for cause; and provided further,".

7. Amend the original bill, page 3, (the printed bill, page 2) by striking all of Sections 2 and 3 thereon and by inserting in lieu thereof the following:

"Sec. 2. That said original Sec. 66-701, Comp. St. Supp., 1937, is hereby repealed.

Sec. 3. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law."

8. Amend the original bill, page 1, title, line 2, (the printed bill, page 1, title, line 2) by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"to amend Sec. 66-701, Comp. St. Supp., 1937, relating to motor vehicle fuels; to provide for the issuance of permits to deliver and unload motor vehicle fuels into storage tanks or other equipment at night under certain conditions; to repeal said original section; and to declare an emergency."

(Signed) Miller, Chairman.

Government

LEGISLATIVE BILL NO. 324. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 324:

1. Amend the original bill, page 4, Section 3, line 53 and line 55, (the printed bill, page 3, Section 3, lines 43 and 45) by striking therefrom the punctuation and words "**, congressional district**" wherever the same appear therein; and after the word and punctuation "**office.**" in line 56 of the original bill, (line 3 of the printed bill) insert the following:

"Candidates for the office of Governor and members of the Congress shall have only the statement following their respective names on the ballot as an endorsement in substance as follows: "Endorsed by Primary".

2. Amend the original bill, page 5, Section 4, lines 13 and 14, (the printed bill, page 4, Section 4, lines 12 and 13) by restoring the stricken matter in each of said lines respectively.

3. Amend the original bill, page 6, Section 5, line 27, (the printed bill, page 5, Section 5, line 33) by striking therefrom the words **"and congressional district".**

4. Amend the original bill, page 7, Section 5, line 39, (the printed bill, page 5, Section 5, line 32) by striking therefrom the words **"and congressional district conventions"** and by inserting in lieu thereof the word **"convention".**

5. Amend the original bill, page 7, Section 5 (the printed bill, pages 5 and 6, Section 5) by striking that part of said section commencing with the word **"Beginning"** in lines 52 and 53 of the original bill, (line 43 of the printed bill) on said page 7 of the original bill (page 5 of the printed bill) down to and including the word and punctuation **"it."** in line 60 on page 7 of the original bill, (line 49 on page 6 of the printed bill).

6. Amend the original bill, page 8, Section 5, line 72 and 73, (the printed bill, page 6, Section 5, lines 58 and 59) by striking therefrom the words **"and Congressional district"** therein.

7. Amend the original bill, pages 8 and 9, Section 5, (the printed bill, pages 6 and 7, Section 5) by striking that part of said Section 5 commencing with the word **"Beginning"** in line 89 on page 8 of the original bill, (line 72 on page 6 of the printed bill) down to and including the word and punctuation **"it."** in line 114 on page 9 of the original bill, (line 88 on page 7 of the printed bill).

8. Amend the original bill, page 9, Section 5, line 124, (the printed bill, page 7, Section 5, line 95) by striking the words **"and national"** after the word **"state"** and before the word **"offices"** therein; and after the word **"offices"** and before the preposition **"for"** in said line 124 of the original bill (said line 95 of the printed bill) insert the following: **"except the office of Governor".**

9. Amend the original bill, page 9, Section 5, line 126, (the printed bill, page 7, Section 5, line 97) by striking the words **"and national"** after the word **"state"** and before the word **"offices"** therein; and after the word **"offices"** and before the word **"who"** in said line 126 of the original bill (in said line 97 of the printed bill) insert the following: **"except the office of Governor".**

10. Amend the original bill, page 10, Section 5, (the printed bill, page 7, Section 5) by striking that part of said section commencing with the word **"Provided"** in line 137 of the original bill (line 101 of the

printed bill) down to and including the word and punctuation "**ballots.**" in line 145 of the original bill (line 106 of the printed bill) therein.

11. Amend the original bill, page 10, Section 6, line 1, (the printed bill, page 7, Section 6, line 1) by striking therefrom the words "both district and".

12. Amend the original bill, page 1, title, line 14, (the printed bill, page 1, title, lines 9 and 10) by striking therefrom the words "both district and".

13. Amend the original bill, page 1, title, lines 14 and 15, (the printed bill, page 1, title, line 10) by inserting immediately after the word and punctuation "conventions;" therein the following:

> "to provide that candidates for the offices of Governor and members of the Congress shall be endorsed neither by any pre-primary or post-primary convention authorized to nominate and endorse candidates hereunder;".

(Signed) Gross, Vice Chairman.

LEGISLATIVE BILL NO. 232. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 232:

1. Amend the original bill, page 7, Section 4 (the printed bill, page 6, Section 4) by striking all of the new matter in lines 78 to 93 inclusive of the original bill (lines 62 to 74 inclusive of the printed bill); and in line 96 of said Section 4 of the original bill (line 76, said Section 4 of the printed bill) strike the words "Election Commissioner" and insert in lieu thereof the words "**election commissioner**".

2. Amend the original bill, page 10, Section 6 (the printed bill, pages 8 and 9, Section 6) by striking all new matter appearing in lines 32, 33, 44 to 48 inclusive of the original bill (lines 26, 35 to 38 of the printed bill).

3. Amend the original bill, page 11, Section 7, line 36 (the printed bill, page 9, Section 7, line 29) by striking the word "**twenty**" therein and by inserting in lieu thereof the word "ten".

4. Amend the original bill, page 12, Section 7, line 62 (the printed bill, page 10, Section 7, line 50) by striking therefrom the words "one year" and by inserting in lieu thereof the words "**ninety days**".

5. Amend the original bill, page 12, Section 7, line 69 (the printed bill, page 10, Section 7, line 56) by striking therefrom the word "**twenty**" and by inserting in lieu thereof the word "ten".

6. Amend the original bill, page 12 (the printed bill, page 10) by inserting two additional sections thereon to be known and numbered as follows:

"Sec. 8. That said original Section 32-1808, Compiled Statutes of Nebraska, 1929, is hereby repealed; and that Secs. 32-515, 32-903, 32-1108, 32-1806, 32-1807 and 32-1809, Comp. St. Supp., 1937, are hereby repealed.

Sec. 9. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law.".

7. Amend the original bill, page 1, Section 1, line 4; page 2, Section 2, line 4; page 3, Section 3, line 3; page 5, Section 4, line 4; page 8, Section 5, line 4; page 9, Section 6, line 3; and page 10, Section 7, line 3; (the printed bill, page 1, Section 1, line 3; page 2, Section 2, line 3; page 3, Section 3, line 3; page 4, Section 4, line 3; page 6, Section 5, line 3; page 8, Section 6, line 3; and page 9, Section 7, line 3) by striking the first word"Section" wherever the same appears in each of said lines respectively and also by striking the punctuation "-" in each of said lines respectively and by inserting in lieu thereof the punctuation ".".

8. Amend the original bill, page 1, Section 1 (the printed bill, page 1, Section 1) by striking lines 1, 2 and 3 of the original bill (lines 1 and 2 of the printed bill) and by inserting in lieu thereof the following:

"Section 1. That Sec. 32-515, Comp. St. Supp., 1937, be amended to read as follows:".

9. Amend the original bill, page 2, Section 2 (the printed bill, page 2, Section 2) by striking lines 1, 2 and 3 of the original bill (lines 1 and 2 of the printed bill) and by inserting in lieu thereof the following:

"Sec. 2. That Sec. 32-903, Comp. St. Supp., 1937, be amended to read as follows:".

10. Amend the original bill, page 3, Section 3 (the printed bill, page 3, Section 3) by striking all of lines 1 and 2 of the original bill (lines 1 and 2 of the printed bill) and by inserting in lieu thereof the following:

"Sec. 3. That Sec. 32-1108, Comp. St. Supp., 1937, be amended to read as follows:".

11. Amend the original bill, page 5, Section 4 (the printed bill, page 4, Section 4) by striking lines 1, 2 and 3 of said section of the

original bill (lines 1 and 2 of the printed bill) and by inserting in lieu thereof the following:

"Sec. 4. That Sec. 32-1806, Comp. St. Supp., 1937, be amended to read as follows:".

12. Amend the original bill, page 8, Section 5 (the printed bill, page 6, Section 5) by striking lines 1, 2 and 3 of said section in the original bill (lines 1 and 2 in the printed bill) and by inserting in lieu thereof the following:

"Sec. 5. That Sec. 32-1807, Comp. St. Supp., 1937, be amended to read as follows:".

13. Amend the original bill, page 9, Section 6 (the printed bill, pages 7 and 8, Section 6) by striking lines 1 and 2 of said section in the original bill (lines 1 and 2 in the printed bill) and by inserting in lieu thereof the following:

"Sec. 6. That Section 32-1808, Compiled Statutes of Nebraska, 1929, be amended to read as follows:".

14. Amend the original bill, page 10, Section 7 (the printed bill, page 9, Section 7) by striking lines 1 and 2 of said section in the original bill (lines 1 and 2 of the printed bill) and by inserting in lieu thereof the following:

"Sec. 7. That Sec. 32-1809, Comp. St. Supp., 1937, be amended to read as follows:".

15. Amend the original bill, page 1, Section 1, line 10 (the printed bill, page 1, Section 1, line 10) by striking therefrom the words **"Election Commissioner"** and by inserting in lieu thereof the words **"election commissioner".**

16. Amend the original bill, page 1, Section 1, line 19 (the printed bill, page 2, Section 1, line 17) by striking therefrom the word and figures "for 1929" and by inserting in lieu thereof the following:

", 1929, as now existing, or as hereafter amended".

17. Amend the original bill, page 2, Section 1, line 35 (the printed bill, page 2, Section 1, line 29) by striking therefrom the following:

"(10%)".

18. Amend the original bill, page 3, Section 2, line 23 (the printed bill, page 2, Section 2, line 18) by striking the punctuation "." therein and by inserting in lieu thereof the punctuation ":".

19. Amend the original bill, page 3, Section 2, line 29 (the printed bill, page 3, Section 2, line 22) by striking therefrom the punctuation and word "**. And**" therein and by inserting in lieu thereof the following:

"**; and**".

20. Amend the original bill,page 4, Section 3, line 17 (the printed bill, page 3, Section 3, line 14) by striking therefrom "(30)".

21. Amend the original bill, page 4, Section 3, line 34 (the printed bill, page 4, Section 3, line 27) by striking therefrom ": Provided," and by inserting in lieu thereof the following:

"**; and provided**".

22. Amend the original bill, page 5, Section 3, line 54 (the printed bill, page 4, Section 3, line 43) by striking therefrom the words "**Election Commissioner**" and by inserting in lieu thereof the words "**election commissioner**".

23. Amend the original bill, page 6, Section 4, line 51 (the printed bill, page 5, Section 4, line 40) by striking therefrom the figures "200" therein and by inserting in lieu thereof the words "**two hundred**".

24. Amend the original bill, page 8, Section 5, line 30 (the printed bill, page 7, Section 5, line 24) by striking therefrom the figure "9" wherever the same appears therein and by inserting in lieu thereof the following: "**nine o'clock**".

25. Amend the original bill, page 1, title, line 2 (the printed bill, page 1, title, line 2) by striking all of said title after the word "ACT" therein and by inserting in lieu thereof the following:

"to amend Secs. 32-515, 32-903, 32-1108, 32-1806 and 32-1807, Comp. St. Supp., 1937; to amend Section 32-1808, Compiled Statutes of Nebraska, 1929; to amend Sec. 32-1809, Comp. St. Supp., 1937, relating to elections; to repeal said original sections; and to declare an emergency.".

LEGISLATIVE BILL NO. 233. Placed on General File.

LEGISLATIVE BILL NO. 297. Placed on General File.
(Signed) Von Seggern, Chairman

Revenue

LEGISLATIVE BILL NO. 187. Indefinitely postponed.

LEGISLATIVE BILL NO. 400. Placed on General File with Amendments.

Standing Committee amendments to L. B. No. 400:

1. Amend the original bill, page 2, Section 1, line 6 (the printed bill, page 1, Section 1, line 4) by inserting after the word "indebtedness" therein the following:

"by counties or by the governing bodies of counties".

2. Amend the original bill, page 2, Section 1 (the printed bill, page 1, Section 1) by striking that part of said section commencing with the word "where" in line 7 of the original bill (line 5 of the printed bill) therein down to and including the figures "1937" in line 10 of the original bill (line 7 of the printed bill) and by inserting in lieu thereof the following:

"in which there is a deficiency in the county general fund to pay outstanding warrants drawn upon said fund, or for the support, operation and maintenance of the county government from January 1, 1939, to the time of making the tax levy in August, 1939".

3. Amend the original bill, page 2, Section 1, line 14 (the printed bill, page 1, Section 1, line 11) by inserting after the word "fund" therein the following:

": Provided, the total levy in any such county for all county purposes shall not exceed fifty cents per one hundred dollars of actual valuation as determined by the assessment rolls".

4. Amend the original bill, page 1, title, line 10 (the printed bill, page 1, title, lines 6 and 7) by striking all of said title commencing with the word and punctuation "counties;" therein and by inserting in lieu thereof the following:

"counties, in which there is a deficiency in the county general fund, upon condition that the total tax levy in any such county for all county purposes shall not exceed fifty cents per one hundred dollars of actual valuation as determined by the assessment rolls; to authorize the county boards of such counties to anticipate the collection of revenue under said levy by contracting indebtedness, auditing claims and issuing anticipatory warrants against same; and to declare an emergency.".

LEGISLATIVE BILL NO. 225. Indefinitely postponed.

LEGISLATIVE BILL NO. 359. Indefinitely postponed.

(Signed) Ashmore, Chairman

Public Works

LEGISLATIVE BILL NO. 170. Placed on General File.

(Signed) Howard, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL NO. 258. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 258:

1. Amend the original bill, page 1, Section 1 (the printed bill, page 1, Section 1) by striking lines 1 and 2 of said section (both original and printed bill) and by inserting in lieu thereof the following:

"Section 1. That Sec. 81-5102, Comp. St. Supp., 1937, be amended to read as follows:"

2. Amend the original bill, page 1, Section 1, line 21, (the printed bill, page 1, Section 1, line 19) by striking therefrom "$100,000" therein and by inserting in lieu thereof the words **"fifty thousand dollars".**

3. Amend the original bill, page 1, Section 1, line 22, (the printed bill, page 1, Section 1, line 20) by striking therefrom the punctuation and words **". Provided, however"** and by inserting in lieu thereof the following: **": Provided".**

4. Amend the original bill, page 2, (the printed bill, page 2) by striking all of Section 2 thereon and by inserting in lieu thereof the following:

"Sec. 2. That Sec. 81-5102, Comp. St. Supp., 1937, is hereby repealed.".

5. Amend the original bill, page 1, title, line 2, (the printed bill, page 1, title, line 2) by striking all of said title after the word "ACT" therein and by inserting in lieu thereof the following:

"to amend Sec. 81-5102, Comp. St. Supp., 1937, relating to installment investment companies; to prescribe capital requirements as a condition precedent to issuance of certificates of approval by the Department of Banking for said companies to transact business hereafter in this state; and to repeal said original section.".

(Signed) Hall, Chairman

Agriculture

LEGISLATIVE BILL NO. 212. Placed on General File with Amendments.

Standing Committee amendments to L. B. No. 212:

1. Amend the original bill, page 1, Section 2, line 5 (the printed bill, page 1, Section 2, line 5) by inserting after the word "county" and before the word "in" the following:

"under the direction of the executive board of the Extension Organization in the county".

2. Amend the original bill, page 1, Section 3, line 3 (the printed bill, page 2, Section 3, lines 3 and 4) by striking therefrom the words and punctuation "known as a "Farm Bureau"," and by inserting in lieu thereof the word "created".

3. Amend the original bill, page 3, Section 4, line 17 (the printed bill, page 3, Section 4, line 19) by striking therefrom the words "farm bureau" and by inserting in lieu thereof the word "Extension".

4. Amend the original bill, page 3, Section 4, lines 21 and 22 (the printed bill, page 3, Section 4, line 24) by striking therefrom the words "of the Farm Bureau".

5. Amend the original bill, page 3, Section 4 (the printed bill, page 3, Section 4) by striking that part of said section commencing with the punctuation and word "; Provided" in line 28 of the original bill (line 31 of the printed bill) down to and including the word "county" in line 35 of the original bill (line 38 of the printed bill).

6. Amend the original bill, page 3, Section 4, line 36 (the printed bill, page 3, Section 4, line 39) by striking therefrom the words "a Farm Bureau" and by inserting in lieu thereof the words "an organization".

7. Amend the original bill, page 3, Section 4, line 38 (the printed bill, page 3, Section 4, line 41) by inserting after the word "counties" therein the following:

"and not then receiving a county appropriation".

8. Amend the original bill, page 3, Section 4, line 38 (the printed bill, page 4, Section 4, line 42) by striking the word "year" therein and by inserting in lieu thereof the words "odd numbered years".

9. Amend the original bill, page 3, Section 4, line 39 (the printed bill, page 4, Section 4, line 42) by striking therefrom the word and figures "than 200".

10. Amend the original bill, page 3, Section 4, line 39 (the printed bill, page 4, Section 4, line 43) by striking therefrom the words "or not less"; and in line 40 of the original (line 43 of the printed bill) by striking the words and punctuation ",whichever is the smaller,".

11. Amend the original bill, page 3, Section 4, line 41 (the printed bill, page 4, Section 4, line 44) by striking therefrom the words "Farm Bureau" and by inserting in lieu thereof the words "organization as petitioners and members"; and also by striking in lines 41 and 42 of said section in the original bill (lines 44, 45 and 46 of the printed bill) the following:

", who have paid into said organization not less than 25% of its budget or not less than $800.00, which ever is the smaller".

12. Amend the original bill, page 3, Section 4, line 45 (the printed bill, page 4, Section 4, line 49) by inserting after word "Act" therein the following:

"and the county clerk shall submit the question of continued support at that general election as provided when a twenty per cent petiion is filed in an even numbered year".

13. Amend the original bill, page 4, Section 6, line 1 (the printed bill, page 4, Section 6, line 1) by striking therefrom the words "County Farm Bureau" and by inserting in lieu thereof the word "organization".

14. Amend the original bill, page 4, Section 7, line 3 (the printed bill, page 4, Section 7, line 4) by striking therefrom the words "and the Farm Bureau".

15. Amend the original bill, page 3, Section 4, line 20 (the printed bill, page 3, Section 4, line 22) by inserting after the word "than" and before the figures "10,000" therein the following:

"10,000; $2,400 in counties having a population of less than".

16. Amend the original bill, page 1, Section 1, line 1 (the printed bill, page 1, Section 1, line 1) by striking therefrom the abbreviation and punctuation "Sec." therein and by inserting in lieu thereof the word "Section".

17. Amend the original bill, page 2, Section 3, line 14 (the printed bill, page 2, Section 3, line 15) by striking therefrom the words and punctuation "act, provided" and by inserting in lieu thereof the following:

"Act: Provided,";
and also in said line 14 of the original bill (line 16 of the printed bill) strike the second word "act" therein and insert in lieu thereof the word "Act".

18. Amend the original bill, page 2, Section 3, line 19 (the printed bill, page 2, Section 3, line 20) by striking the word "act" and by inserting in lieu thereof the word "Act".

19. Amend the original bill, page 2, Section 3, line 26 (the printed bill, page 2, Section 3, line 28) by striking the word "act" therein and by inserting in lieu thereof the word "Act".

20. Amend the original bill, page 2, Section 4, line 2 (the printed bill, page 2, Section 4, line 2) by striking therefrom the words "County Clerk" and by inserting in lieu thereof the words "county clerk"; and in line 2 of said section of the original bill (line 3 of said section of the printed bill) strike "(20%)".

21. Amend the original bill, page 2, Section 4, line 4 (the printed bill, page 2, Section 4, line 4) by striking therefrom the words "Federal Census" and by inserting in lieu thereof the words "federal census"; and in said line 4 of the original bill (line 5 of the printed bill) strike the word "act" and insert in lieu thereof the word "Act".

22. Amend the original bill, page 2, Section 4, line 7 (the printed bill, page 3, Section 4, line 8) by striking the abbreviation "st" after the figure "1" therein.

23. Amend the original bill, page 2, Section 4, lines 13 and 15 (the printed bill, page 3, Section 4, lines 15 and 17) by removing the underscoring under the words "on this question" wherever the same appears in each of said lines respectively.

24. Amend the original bill, page 3, Section 4, line 21 (the printed bill, page 3, Section 4, line 24) by striking the words "Board of Directors" and by inserting in lieu thereof the words "board of directors"; and in line 22 of said section of the original bill (line 25 of the printed bill) strike "County Clerk" and insert in lieu thereof "county clerk".

25. Amend the original bill, page 3, Section 4, line 26 (the printed bill, page 3, Section 4, lines 28 and 29) by striking the words "Sections" therein and by inserting in lieu thereof the word "sections"; and also strike the words "County Board" and insert in lieu thereof the words "county board".

26. Amend the original bill, page 3, Section 4, line 29 (the printed bill, page 3, Section 4, line 31) by striking the abbreviation "st" after the figure "1" therein.

27. Amend the original bill, page 3, Section 4, line 30 (the printed bill, page 3, Section 4, line 32) by striking the figure "51" therein and by inserting in lieu thereof the word "fifty-one".

28. Amend the original bill, page 3, Section 4, line 31 (the printed bill, page 3, Section 4, line 33) by striking the word "Governor" and by inserting in lieu thereof the word "governor".

29. Amend the original bill, page 3, Section 4, (the printed bill, pages 3 and 4, Section 4) by removing the underscoring from lines 36 to 45 inclusive of the original bill (lines 39 to 49 of the printed bill); and engross lines 13 to 45 of the original bill (lines 15 to 49 of the printed bill) in one solid block of subject matter with no paragraphs.

30. Amend the original bill, page 3, Section 5, line 1 (the printed bill, page 4, Section 5, line 1) by striking the word "Section" therein and by inserting in lieu thereof the abbreviation and punctuation "Sec."; and also in said line 1 of the original bill (line 1 of the printed bill) strike the word "act" and insert in lieu thereof the word "Act".

31. Amend the original bill, page 4, Section 5, line 7 (the printed bill, page 4, Section 5, line 7) by striking therefrom the words "Federal Census" therein and by inserting in lieu thereof the words "federal census".

32. Amend the original bill, page 4, Section 6, line 1 (the printed bill, page 4, Section 5, line 1) by engrossing the words "President" and "Secretary" in lower case.

33. Amend the original bill, page 4, Section 6, line 2 (the printed bill, page 4, Section 6, line 2) by striking therefrom the word "first" and by inserting in lieu thereof the figure "1"; and in said line 2 of the original bill (line 2 of the printed bill) insert the punctuation "," after the word "clerk" therein.

34. Amend the original bill, page 4, Section 7, line 2 (the printed bill, page 4, Section 7, line 2) by striking the word "act" therein and by inserting in lieu thereof the word "Act".

35. Amend the original bill, page 4, Section 7, line 5 (the printed bill, page 4, Section 7, lines 5 and 6) by striking therefrom the punctuation and word "; provided" and by inserting in lieu thereof the following: ": Provided,".

36. Amend the original bill, page 4, Section 7, line 6 (the printed bill, page 4, Section 7, line 7) by engrossing the words "State" and "Federal" in lower case.

37. Amend the original bill, page 4 (the printed bill, page 4) by striking all of Section 8 thereon and by inserting in lieu thereof the following:

"Sec. 8. That Secs. 2-1110, 2-1111, 2-1112, 2-1113, 2-1114, 2-1115, 2-1116 and 2-1117, Comp. St. Supp., 1937, are hereby repealed.".

38. Amend the original bill, page 4, Section 9, lines 1, 3 and 4 (the printed bill, page 4, Section 9, lines 2, 4 and 5) by striking the word "act" wherever the same appears and by inserting in lieu thereof the word "Act" in each of said lines respectively.

39. Amend the original bill, page 4 (the printed bill, page 4) by inserting a new section thereon to be known and numbered as follows:

"Sec. 10. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law.".

40. Amend the original bill, page 1, title, line 2 (the printed bill, page 1, title, line 2) by striking all of said title commencing with the word "For" therein and by inserting in lieu thereof the following:

"FOR AN ACT relating to agriculture; to provide for the conduct of Agricultural Extension Work in the several counties of the state of Nebraska; to provide for cooperation with state and federal agencies in said work; to provide procedure for creating or abolishing the appropriations of county funds for the administration of said activity; to repeal Secs. 2-1110, 2-1111, 2-1112, 2-1113, 2-1114, 2-1115, 2-1116 and 2-1117, Comp. St. Supp., 1937; to provide a validity clause; and to declare an emergency.".

(Signed) Neubauer, Chairman

Judiciary

LEGISLATIVE BILL NO. 57.	Indefinitely postponed.
LEGISLATIVE BILL NO. 252.	Indefinitely postponed.
LEGISLATIVE BILL NO. 284.	Indefinitely postponed.
LEGISLATIVE BILL NO. 384.	Indefinitely postponed.
LEGISLATIVE BILL NO. 182.	Placed on General File.
LEGISLATIVE BILL NO. 236.	Placed on General File.
LEGISLATIVE BILL NO. 249.	Placed on General File.
LEGISLATIVE BILL NO. 251.	Placed on General File.
LEGISLATIVE BILL NO. 254.	Placed on General File.
LEGISLATIVE BILL NO. 266.	Placed on General File.

LEGISLATIVE BILL NO. 375. Placed on General File.

LEGISLATIVE BILL NO. 399. Placed on General File with amendments:

Standing Committee amendments to L. B. No. 399:

1. Amend the original bill, page 2, Section 1, lines 17 and 18 (the printed bill, page 2, Section 1, lines 13 and 14) by striking therefrom the following: "**. Provided further, that in counties having more than 200,000 population**" and by inserting in lieu thereof the following:

"**; and provided further, that in counties having a population of more than two hundred thousand inhabitants,**".

2. Amend the original bill, page 2, Section 1, line 26 (the printed bill, page 2, Section 1, line 20) by striking therefrom the abbreviation and punctuation "**Secs.**" and by inserting in lieu thereof the word "**Sections**".

3. Amend the original bill, page 3, Section 2, lines 14 and 15 (the printed bill, page 2, Section 2, lines 12 and 13) by striking therefrom the following: "**Provided in counties having more than 200,000 population**" and by inserting in lieu thereof the following:

"**: Provided, in counties having a population of more than two hundred thousand inhabitants,**"; and in lines 5 and 16 of the original bill (lines 5 and 14 of the printed bill) strike the word "**Sheriff**" whereever the same appears in said lines respectively and insert in lieu thereof the word "**sheriff**".

4. Amend the original bill, page 3, Section 2, line 18 (the printed bill, page 2, Section 2, line 15) by striking the abbreviation and punctuation "**Sec.**" and by inserting in lieu thereof the word "**Section**".

5. Amend the original bill, page 6, Section 10, line 7 (the printed bill, page 4, Section 10, line 6) by striking therefrom the punctuation and word "**; provided**" therein and by inserting in lieu thereof the following:

"**: Provided,**".

6. Amend the original bill, page 6, Section 10, line 11 (the printed bill, page 4, Section 10, line 9) by striking the punctuation "**,**" therein and by inserting in lieu thereof the following: "**; and**"; and in line 12 of said Section 10 of the original bill (line 9 of said Section 10 of the printed bill) strike the preposition "**to**" therein and insert in lieu thereof the word "**shall**".

7. Amend the original bill, page 7, Section 11, line 7 (the printed bill, page 5, Section 11, line 6) by striking therefrom "**(2)**" therein.

8. Amend the original bill, page 8, Section 13, line 4 (the printed bill, page 5, Section 13, lines 3 and 4) by striking therefrom "One Hundred and Twenty-five Thousand (125,000)" and by inserting in lieu thereof the words **"one hundred twenty-five thousand".**

9. Amend the original bill, page 8, Section 13, line 12 (the printed bill, page 6, Section 13, line 10) by striking therefrom "($2500.00)".

10. Amend the original bill, page 1, title, line 21 (the printed bill, page 1, title, line 12) by striking the word "section" therein and by inserting in lieu thereof the word "sections".

(Signed) Gantz, Vice Chairman

Labor and Public Welfare

LEGISLATIVE BILL NO. 427. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 427:

1. Amend the printed bill, page 2, Section 1, line 31 by inserting the figure "8" after the word "Section".

2. Amend the printed bill, page 2, by striking all of Section 2 thereon and by inserting in lieu thereof the following:

"Sec. 2. Employees shall have the right of self-organization, and, of their own free will to form, join or assist labor organization to bargain collectively through representatives of their own voluntary choosing, and to engage in lawful activities for the purpose of collective bargaining or other mutual aid or protection, free from coercion from any source whatsoever."

3. Amend the printed bill, page 2, Section 3, line 11 by striking therefrom the word "accept" and by inserting in lieu thereof the word "receive".

4. Amend the printed bill, page 3, by striking all of Section 5 thereon and by inserting in lieu thereof the following:

"Sec. 5. The party demanding arbitration, shall, in the notice thereof, name one arbitrator, and shall forthwith transmit to the Labor Commissioner true copies of the written specifications of the grievances and proposals, counter proposals and amended proposals, all duly certified to by a notary public. Upon receipt of such demand it shall be the duty of the Labor Commissioner to request the other party in behalf of the state of Nebraska, to submit such dispute to arbitrators; said party shall, within five days thereafter, accept or reject said offer to arbitrate. Upon acceptance, the other party shall submit to the Labor Commissioner the name of an arbitrator. The arbitrator named by the employer, and the arbitrator named by the employee representative, and the third arbitrator to be selected by them, shall constitute a board of arbitration. In the event that the two arbitrators are unable to agree upon a third arbitrator then the governor shall appoint a disinterested party to serve as the third member of said board of arbitration: Provided, said member selected by the governor shall be a resident of the state of Nebraska and shall act as the chairman of said board of arbitration. Said board of arbitration shall meet at the call of the Labor Commissioner, within ten days, in the county in which the controversy originated, and shall proceed to hear and determine the issues as are set forth in said proposals and counter proposals, and make findings of fact and an award. The findings and award of said board of arbitrators shall be reduced to writing and be filed in the office of the Labor Commissioner, and all such findings, orders or awards of said board of arbitration shall be binding upon all parties in interest unless reversed or modified upon appeal as hereinafter provided. An appeal may be taken from any such finding, order or award of said board of arbitration by means of the same procedure employed in the taking of appeals from final orders of the state railway commission as provided in Article 5, Chapter 75, Compiled Statutes of Nebraska, 1929, as amended."

5. Amend the printed bill, page 4, Section 7, line 4, by inserting the figure "5" after the word "Section" therein; and in said line 4 strike the figure "5" before the word "days" and by inserting in lieu thereof the word "five".

(Signed) Dunn, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 288. Placed on Select File with amendments.

E and R amendments to L. B. No. 288:

I. Amend the original bill, pages 1 and 2, Section 1, lines 3 and 12 (the printed bill, page 1, Section 1, lines 3 and 9) by striking therefrom "Two Dollars ($2.00)" and by inserting in lieu thereof in each of said lines respectively the words **"two dollars"**.

II. Amend the original bill, page 1, Section 1, line 5 (the printed bill, page 1, Section 1, line 4) by striking the word "State" and by inserting in lieu thereof the word **"state"**.

III. Amend the original bill, page 1, Section 1, line 7 (the printed bill, page 1, Section 1, line 6) by inserting the punctuation **","** after the word "person" and before the preposition "to" therein.

IV. Amend the original bill, page 2, Section 1, line 9 (the printed bill, page 1, Section 1, line 7) by striking therefrom the word "Board" and by inserting in lieu thereof the word **"board"**.

V. Amend the original bill, page 1, title, line 11 (the printed bill, page 1, title, line 7) by striking therefrom the words "state assistance fund" and by inserting in lieu thereof the words "State Assistance Fund".

VI. Amend the original bill, page 2, Section 1, line 22, (the printed bill, page 2, Section 1, line 17) by striking therefrom the figures "1937" and inserting in lieu thereof the figures **"1939"**.

Correctly Engrossed

L. B. No. 15
L. B. No. 19
L. B. No. 18
L. B. No. 28
L. B. No. 109

(Signed) Craven, Chairman

MOTION—To Reconsider Action on L. B. No. 29

Mr. President: I move that the standing committee report indefinitely postponing L. B. No. 29 be reconsidered and that L. B. No. 29 be reported out on General File. (Signed) Craven

Record vote requested.

Voting in the affirmative, 19:

Adams, E. A.
Ashmore
Brady
Carsten
Craven
Diers
Dunn
Garber
Gutoski
Johnson
Johnston
Klaver
Mekota
Mischke
Mueller
Murphy
Reed
Thornton
Tvrdik

Voting in the negative, 17:

Brodecky
Callan
Carlson
Doyle
Gantz
Gross
Hall
Hastings
Herrick
Howard
Lambert
Miller
Neubauer
Sorrell
Van Diest
Von Seggern
Westley

Not voting, 7:

Adams, J. Jr.
Norman
Peterson
Reavis
Rossiter
Schultz
Thomas

A constitutional majority having failed to vote in the affirmative the motion was lost.

Approved by Governor

March 25th, 1939

To the Members of the Legislature

Gentlemen:

I have been directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bills:

L. B. No. 23	L. B. No. 25	L. B. No. 111
L. B. No. 24	L. B. No. 26	L. B. No. 139

Respectfully submitted,

(Signed) Lulu Drayer,
Acting Secretary to the Governor

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 22. Living Christmas Tree.

Resolution Recognizing the Living Christmas Tree at Crete, Nebraska, as the First "Living Christmas Tree" Planted in the World.

Introduced by John E. Mekota of Saline.

Preamble.

WHEREAS, the state of Nebraska is known as the "Tree Planters State" and was so designated by a joint resolution of the Legislature of Nebraska in 1895, and

WHEREAS, J. Sterling Morton, a native Nebraskan, was the founder of Arbor Day, and

WHEREAS, a native Nebraskan, Mrs. Benjamin G. Miller of the city of Crete originated the idea of planting a "Living Christmas Tree" as the expression of a living year-around holiday spirit, and

WHEREAS, this idea was carried into effect on April 23, 1923 by the planting of a small spruce tree in Central Park in the city of Crete, designated as a "Living Christmas Tree", and

WHEREAS, this splendid thought has received official recognition by the planting of two trees, designated as "Living Christmas Trees", on the White House grounds in Washington, D. C., and

WHEREAS, the "Living Christmas Tree" at Crete, Nebraska has received world wide recognition and acclaim as the first "Living Christmas Tree", NOW THEREFORE BE IT RESOLVED BY THE LEGIS-

LATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That the "Living Christmas Tree" in the city of Crete, Nebraska is proudly recognized by the State of Nebraska as the first "Living Christmas Tree" planted in the world.

2. That a copy of this resolution be spread at large on the Journal of this Legislature; and that the Clerk of the Legislature be directed to forward copies of this resolution, properly authenticated and suitably engrossed to the Congressional Library at Washington, D. C., the Smithsonian Institute at Washington, D. C., the Nebraska State Historical Society and Mrs. Benjamin G. Miller, Crete, Nebraska.

Referred to Committee on Public Health and Miscellaneous Subjects.

LEGISLATIVE RESOLUTION NO. 23. Republican Valley Flood Control

Introduced by Hugh B. Ashmore of Hayes, E. M. Neubauer of Harlan, Daniel Garber of Webster.

WHEREAS, The Congress of the United States, by the adoption of acts pertaining to flood control and reclamation, has recognized responsibility on the part of the federal government to control the destructive flood waters of the basins of the Mississippi and Missouri rivers; has declared this to be a national problem, and has heretofore authorized the expenditure of federal funds in considerable amounts in the area for the improvement of conditions resulting from floods and drouth, and

WHEREAS, the Republican river valley drainage area in Nebraska, settled by people who are and have been making every effort to better their condition in the face of adverse circumstances beyond their control, comprises many hundreds of thousands of acres of valuable land which has been greatly damaged by floods and drouth, and

WHEREAS, the Republican river valley in Nebraska, a part of the great drainage area of the Missouri and the Mississippi rivers, has thus far received but scant federal recognition for conservation and reclamation, and

WHEREAS, as a result of the 1935 floods in that valley, over one hundred persons lost their lives, the property loss was tremendous, and much of the fertile and valuable land in the valley has been imperilled and made subject to repeated damage from flood waters, while, on the other hand, many thousands of acres in the area are in urgent need of the waste waters of the river for irrigation, and

WHEREAS, a constructive and comprehensive federal program for the protection of life and property from destructive floods and drouth within the drainage area of the Republican river, including its tributaries, is admittedly a national problem, and is needed for the control, conservation, development and beneficial use of the water and land resources of said area as affecting the well-being of the hundreds of thousands of its citizens:

BE IT RESOLVED BY THE UNICAMERAL LEGISLATURE OF NEBRASKA:

That the Congress of the United States be and it is hereby requested and urged to cause to be made full, complete and comprehensive survey and investigation into the claims of the residents of the Republican river valley in Nebraska for flood control and reclamation therein, including the storing, preservation and distribution of the waste and flood waters of said river and its tributaries for beneficial use;

That the Congress be and it is urged to make early appropriation of federal funds to insure the inauguration and carrying on of internal improvement projects within said valley, and that the proper federal agencies be empowered and directed to give early and careful consideration to the feasibility and advisability of constructing and maintaining dams in said area in Nebraska, including the various tributaries of the Republican river, for the federal purpose of flood control, conservation and other beneficial use of the water, including that of irrigation.

That a copy of this Resolution be sent by the Chief Clerk of this Unicameral Legislature to each of the following:

The President of the United States, the Honorable Franklin D. Roosevelt;

United States Senator, the Honorable George W. Norris;

United States Senator, the Honorable Edward R. Burke;

To each of the five Congressmen from Nebraska, to wit:

The Honorable Carl T. Curtis

The Honorable Karl Stefan

The Honorable Charles F. McLaughlin

The Honorable Harry Coffee

The Honorable George H. Heinke;

The Vice President of the United States, the Honorable John N. Garner, as President of the Senate;

The Speaker of the House of Representatives, the Honorable William B. Bankhead;

The Secretary of the United States Department of Agriculture, the Honorable Henry A. Wallace;

The Secretary of Commerce of the United States, the Honorable Harry Hopkins;

The Secretary of War of the United States, the Honorable Harry H. Woodring;

The Secretary of the Interior, the Honorable Harold L. Ickes;

The Governor of Nebraska, the Honorable R. L. Cochran;

The Chief of the Army Engineers, Major General Julian L. Schley, Washington, D. C.;

The Office of Army Engineers, Kansas City, Mo.;

The Mississippi Valley Flood Control Association;

The National Rivers and Harbors Congress;

The National Reclamation Association;

The Chairman of each Congressional committee in Congress which has to do with the appropriation of federal funds for the conservation of national resources;

The Governors respectively of Kansas and Colorado.

LEGISLATIVE RESOLUTION NO. 24. Employees in Public Service.

Resolution Pertaining to Employees in the Public Service of the State of Nebraska.

Introduced by Fred A. Mueller of Buffalo.

Preamble

WHEREAS, there are numerous residents of the state of Nebraska competent, ready, willing and able to serve their state in its numerous activities, who are not employed at this time through no fault of their own, and

WHEREAS, there are now numerous persons on the several pay rolls of the state of Nebraska who at the time of their employment were not bona fide residents of our state, and

WHEREAS, the first duty which the state owes to its people is to make available and to give preference to Nebraska residents in the state service wherever feasible and possible, and

WHEREAS, the federal government in the administration of the Social Security Act has adopted a policy that employees administering said Act must be residents of the several states by whom they are employed, NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That this Legislature, believing it to be sound and sensible to prefer Nebraska residents for employment in the service of the state, hereby declares that the policy of the state of Nebraska is that all employments in the public service of said state first be made available to Nebraska residents competent to perform work or labor in the various classes or types of the public service.

2. That this resolution be spread at large upon the Journal of this Legislature; that the Clerk of this Legislature be directed forthwith to forward a copy of said resolution, properly authenticated and suitably engrossed, to His Excellency, Governor R. L. Cochran, State Capitol, Lincoln, Nebraska, to the end that he may be advised as to the policy adopted by this Legislature with respect to preference to be given to residents of this state when selecting personnel for the public service; that this Legislature, in keeping with this resolution, respectfully suggest that the Governor of this state forthwith make a survey of those persons now employed in the several branches of the public service and that if it appears that there are employees now employed in the several departments, bureaus, divisions or employments under his jurisdiction, who were not bona fide residents of the state of Nebraska at the time their respective employments commenced, that such persons, if any there be, be forthwith removed from the service of the state and that competent resident persons of this state be employed in their stead; and that hereafter Nebraska residents only be employed in the several classes of the state public service.

LEGISLATIVE RESOLUTION NO. 21. Read and considered.

MOTION—To Adopt Resolution.

Mr. President: I move that Legislative Resolution No. 21 be adopted.
Von Seggern

The motion prevailed.

MOTION—To Suspend Rules to Introduce Bill

Mr. President: I move that the rules be suspended to permit the introduction of a bill relating to live stock sales pavillions in cities and villages. Mischke

The motion prevailed with 32 ayes, no nays, 11 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 498. By Mischke of Knox
By Special Order of the Legislature

A bill for an Act relating to municipal corporations; to authorize cities and villages to establish and maintain live stock sales pavillions; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 498 be read the second time now. Mischke

The motion prevailed with 33 ayes, no nays, 10 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title see Bills on First Reading)

LEGISLATIVE BILL NO. 498. By Mischke

Member Excused

Mr. Brady was excused at 10:30 for the remainder of the morning.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 483. (With emergency clause)

A bill for an Act to amend Secs. 66-401 and 66-405, Comp. St. Supp., 1937, relating to motor vehicle fuels; to provide that refineries, pipe line terminals or barge line terminals shall not be deemed dealers as defined for purposes of taxing the sale or use of said fuels sold to or used by licensed dealers in the state of Nebraska; to provide that persons, firms or corporations bringing said fuels by pipe line or barge line, or refining said fuels within said state shall not pay the tax imposed thereon, until said fuels, as the case may be, are used at or shipped from the barge line terminal, pipe line terminal or refinery for consumption within said state; to prescribe bond requirements and reporting regulations with respect to said barge line terminals, pipe line terminals or refineries; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Miller
Mischke
Mueller
Murphy
Neubauer
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 4:

Brady
Mekota
Thomas
Norman

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 33. (With emergency clause)

A bill for an Act to amend Secs. 81-1002, 81-1006 and 81-1037, Comp. St. Supp., 1937, relating to the dairy industry; to define the terms cream station and station operator; to provide conditions upon which licenses for testing or grading cream may be withheld from station operators or cream buyers; to enumerate unlawful practices in grading, purchasing, selling or using cream; to repeal said original sections; to provide a validity clause; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams, E. A.
Adams, J. Jr.
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Mischke
Mueller
Murphy
Neubauer
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 2:

Ashmore
Miller

Not voting, 3:

Brady
Norman
Thomas

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 490. (With emergency clause)

A bill for an Act relating to insurance; specifically to re-appropriate unexpended balances in designated funds under the jurisdiction of the Department of Insurance, State of Nebraska, in the sum of and to the extent of two thousand dollars, or so much thereof as may be necessary, to the uses and purposes of the Legislative Insurance Investigation Committee, created and established by Legislative Resolution No. 7, Fifty-third Session, Nebraska State Legislature, 1939; to make said money reappropriated immediately available; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 38:

Adams, E. A.
Adams, J. Jr.
Ashmore
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Peterson
Reavis
Reed
Rossiter
Sorrell
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 1:

Schultz

Not voting, 4:

Brady
Brodecky
Norman
Thomas

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement for Journal

Mr. President: Under L. B. No. 490 the committee can spend the funds any way they see fit without accounting to anyone; I therefore vote no. (Signed) Schultz.

Adjournment

At 12:15 p. m. on motion by Mr. Gutoski the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FIFTY-NINTH DAY

Legislative Chamber,
Lincoln, Nebraska, March 28, 1939.

The Legislature met at 9:11 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Thomas who was excused.

The Journal for the Fifty-eighth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Mueller, two, favoring L. B. No. 409; Mr. Carlson, one, favoring L. B. No. 292; all members, one, favoring L. B. No. 409.

Communications

A letter was read from Mr. C. W. Motter, Secretary of the Fremont Chamber of Commerce, acknowledging receipt of the resolution of appreciation.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

L. B. No. 499, Tuesday, April 4, 1939, 2:00 p. m.

L. B. No. 500, Tuesday, April 4, 1939, 2:00 p. m.

L. B. No. 501, Tuesday, April 4, 1939, 2:00 p. m.

L. B. No. 502, Tuesday, April 4, 1939, 2:00 p. m.

L. B. No. 503, Tuesday, April 4, 1939, 2:00 p. m.

L. B. No. 504, Tuesday, April 4, 1939, 2:00 p. m.

L. B. No. 505, Tuesday, April 4, 1939, 2:00 p. m.

L. B. No. 506, Tuesday, April 4, 1939, 2:00 p. m.

Mr. Howard presiding.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL NO. 382. Placed on General File.
(Signed) Gantz, Vice Chairman.

Labor and Public Welfare

LEGISLATIVE BILL NO. 448. Indefinitely postponed.

LEGISLATIVE BILL NO. 305. Placed on General File.
(Signed) Dunn, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 494. Placed on Select File with amendments.

E and R amendments to L. B. No. 494:

I. Amend the original bill, page 1, Section 1, line 3 (the printed bill, page 1, Section 1, line 3) by striking therefrom the word "Fund" and by inserting in lieu thereof the word **"fund"**.

II. Amend the original bill, page 1, Section 1, line 5; page 4, Section 4, line 4; page 4, Section 4, line 12 (the printed bill, page 1, Section 1, line 4; page 3, Section 4, line 3; page 3, Section 4, line 9) by striking the word "State" wherever the same appears therein and by inserting in lieu thereof the word **"state"**.

III. Amend the general file amendments, page 1, amendment 1, by underscoring all new matter found within the quotation marks in lines 2 and 3 therein.

IV. Amend the original bill, page 4, Section 3, line 13; page 4, Section 4, line 17, (the printed bill, page 3, section 3, line 10; page 3, Section 4, line 13) by inserting the figures "494" after the abbreviation and punctuation "No." wherever the same appears in each of said lines respectively.

V. Amend the original bill, page 4, Section 4, line 7 (the printed bill, page 3, Section 4, line 5) by inserting the punctuation "," after the word "person".

LEGISLATIVE BILL NO. 493. Placed on Select File with amendments.

E and R amendments to L. B. No. 493:

I. Amend the original bill, page 1, title, line 8 (the printed bill, page 1, title, line 6) by striking the word "State" and by inserting in lieu thereof the word "state".

II. Amend the original bill, page 1, title, line 13 (the printed bill, page 1, title, line 8) by inserting the punctuation "," after the word "proper" and before the word "identified" therein.

III. Amend the original bill, page 2, Section 1, lines 13 and 19 (the printed bill, page 2, Section 1, lines 12 and 16) by striking the word "State" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word "state".

IV. Amend the original bill, page 2, Section 1 (the printed bill, page 2, Section 1) by striking all of said section after the word "tests" in line 22 of the original bill (line 19 of the printed bill) and by inserting in lieu thereof the words ", as the Legislature may, from time to time, by law provide."

V. Amend the original bill, page 2, Section 1, line 15 (the printed bill, page 2, Section 1, line 13) by inserting the punctuation "," after the word "institutions".

LEGISLATIVE BILL NO. 492. Placed on Select File with amendments.

E and R amendments to L. B. No. 492:

I. Amend the original bill, page 2, Section 1, lines 9 and 11 (the printed bill, page 1, Section 1, lines 7 and 9) by striking therefrom "14%" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the words:

"fourteen per cent".

II. Amend the original bill, pages 2 and 3, Section 1, lines 22, 43 and 54 (the printed bill, page 2, Section 1, lines 18, 34 and 43) by striking the word "State" wherever the same appears therein and by inserting in lieu thereof the word **"state".**

III. Amend the original bill, page 3, Section 1, line 54 (the printed bill, page 2, Section 1, line 43) by striking the word "Treasurer", and by inserting in lieu thereof the word **"treasurer".**

LEGISLATIVE BILL NO. 489. Placed on Select File with amendments.

E and R amendments to L. B. No. 489:

I. Amend the original bill, pages 1 and 2, Section 1, lines 8 and 13, (the printed bill, page 1, Section 1, lines 7 and 11) by inserting after the word "Control" the words **"of state institutions"** in each of said lines respectively.

II. Amend the original bill, page 2, Section 1, line 21, (the printed bill, page 1, Section 1, line 17) by striking therefrom the word **"re-appropriation"** and by inserting the word **"reappropriation".**

III. Amend the original bill, page 1, title, line 6, (the printed bill, page 1, title, line 4) by striking the word "State" therein and by inserting in lieu thereof the word "state".

Correctly Engrossed

L. B. No. 420 L. B. No. 214

Correctly Enrolled

Legislative Bill No. 483.

(Signed) Craven, Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill No. 483.

President Johnson presiding.

MOTION—To Reconsider Action on L. B. No. 409

Mr. President: I move that we reconsider our action on L .B. No. 409 and that it be placed on General File. (Signed) Adams, E. A.

The motion prevailed with 35 ayes, 4 nays, 4 not voting.

MOTION—To Reconsider Action on L. B. No. 359

Mr. President: I move that we reconsider our action on the Revenue Committee report indefinitely postponing L. B. No. 359 and place the same on General File. (Signed) Herrick.

Record vote requested.

Voting in the affirmative, 11:

Adams, J. Jr.
Callan
Doyle
Herrick
Johnston
Miller
Neubauer
Schultz
Sorrell
Thornton
Westley

Voting in the negative, 26:

Ashmore
Brady
Brodecky
Carlson
Carsten
Craven
Diers
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Howard
Johnson
Klaver
Mekota
Mischke
Mueller
Murphy
Norman
Peterson
Reavis
Reed
Van Diest
Von Seggern

Not voting, 6:

Adams, E. A.
Garber
Lambert
Rossiter
Thomas
Tvrdik

A constitutional majority having failed to vote in the affirmative, the motion was lost.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 25 Interstate Transit Privileges.

Introduced by A. L. Miller of Kimball, W. H. Diers of York, W. J. Norman of Douglas, Leland R. Hall of Adams and Ernest A. Adams of Douglas.

WHEREAS, it is the sense of this Legislature that the granting of equal transit privileges as between localities where mills and other processors are located or where grain is stored, cleaned or otherwise handled, is essential to prevent discrimination and prejudice in the transportation of grain and grain products and the successful conduct of the grain and milling business, and

WHEREAS, it is the belief of the Legislature that the Interstate Commerce Act should include in Section 3 a specific inhibition against discrimination or prejudice by reason of inequality in the granting of transit privileges as among such localities,

NOW, THEREFORE, BE IT RESOLVED that the Congress of the United States is respectfully requested to amend Sub-Division (1) of Section 3 of the Interstate Commerce Act, as amended February 28, 1920, by striking the period, inserting a semicolon and adding the following language:

"The granting of transit privileges to any locality, port, port district, gateway or transit point, upon any route over which through rates have been or shall be established, and the denial of like transit privileges to any other locality, port, port district, gateway or transit point upon said route under the same through rate, shall be deemed to be an undue and unreasonable prejudice and disadvantage to the locality, port, port district, gateway or transit point denied such privilege."

LEGISLATIVE RESOLUTION NO. 26. Tariff on Brushes.

Resolution Memorializing the Congress of the United States to Revise the Tariff Laws of the United States Relating to the Classification of Brushes of the Type Used in the Application of Finger Nail Polish.

Introduced by Peter P. Gutoski, Charles F. Tvrdik, John Adams, Jr., William J. Norman, Sam Klaver and Ernest A. Adams, all of Douglas.

Preamble

WHEREAS, the United States Customs Court, First Division, in New York City, New York, has held that small brushes of the type used in the application of finger nail polish are camel hair pencils and not toilet brushes, and

WHEREAS, the tariff on camel hair brushes is only 40 per cent while the tariff on toilet brushes is one cent per brush plus fifty per cent, and

WHEREAS, under this ruling brushes of this type made in Japan can be sold in the United States at forty-six cents per gross, duty paid, while such price will not even pay for the materials and labor that go into the making of such brushes in the United States, and

WHEREAS, the amount paid for labor in such industry in the United States is approximately twenty-five times greater than that paid in Japan, and

WHEREAS, under the decision of said court, such industry in the United States will be completely ruined, and

WHEREAS, many thousands of United States citizens will be deprived of their jobs, and

WHEREAS, nearly two hundred employes of the United States Brush Company in Omaha, Nebraska, alone will lose their jobs, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That this Legislature respectfully petitions, memorializes and urges the Congress of the United States to enact such measures as will correct the objections recited in the preamble of this resolution; and that the tariff laws of the United States be so revised that brushes of the type used in the application of finger nail polish shall be classified as toilet brushes rather than as camel hair pencils.

2. That this resolution be spread at large upon the journal of this Legislature; and that the Clerk of this Legislature is hereby ordered and directed forthwith to forward a copy of this resolution, properly authenticated and suitably engrossed, to the President of the United States; to the Vice President of the United States as presiding officer of the United States Senate; to the Speaker of the House of Representatives of the United States; and to each of the United States Senators and Congressmen representing the state of Nebraska in the Congress to the end that representatives in the government and in the Congress of the United States may be advised that this Legislature considers as imperative, remedial federal legislation to revise the tariff laws of the United States with respect to the classification of brushes used in the application of finger nail polish.

MOTION—To Adopt Resolution

Mr. President: I move that the rules be suspended and that Legislative Resolution No. 26 be adopted. Gutoski.

The motion prevailed with 35 ayes, 3 nays, 5 not voting.

Legislative Resolution No. 26 was adopted.

MOTION—To Adopt Resolution

Mr. President: I move that Resolution No. 24, offered on the Fifty-eighth Day be adopted. Mueller.

The motion prevailed.

Legislative Resolution No. 24 was adopted.

MOTION—To Adopt Resolution

Mr. President: I move that Legislative Resolution No. 23, offered on the Fifty-eighth Day be adopted. Ashmore.

MOTION—To Refer to Committee

Mr. President: I move that Legislative Resolution No. 23 be referred to the proper committee. Doyle.

Mr. Doyle's motion was lost.

Vote was taken on Mr. Ashmore's motion.

Resolution No. 23 was adopted.

Member Excused

At 10:55 Mr. Brady was excused for the remainder of the morning.

MOTION—To Suspend Rules to Introduce Bills

Mr. President: I move that the rules be suspended to permit the introduction of several bills requested by the Insurance Investigation Committee. Miller.

The motion prevailed with 32 ayes, no nays, 11 not voting.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 499. By Legislative Insurance Investigation Committee.

A bill for an Act to amend Sec. 44-409, Comp. St. Supp., 1937, relating to insurance; to prescribe requirements that domestic stock insurance companies hereafter organized must meet in order to transact insurance business in this state; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 500. By Legislative Insurance Investigation Committee.

A bill for an Act to amend Sec. 44-402, Comp. St. Supp., 1937, relating to insurance; to eliminate accident and health insurance, fidelity insurance and plate glass insurance from the classes of insurance which assessment associations may be formed to write; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 501. By Legislative Insurance Investigation Committee.

A bill for an Act to amend Section 44-203, Compiled Statutes of Nebraska, 1929, relating to insurance; to prescribe methods to be employed by the Department of Insurance to determine the fact of and the amount of such deficiencies, if any, in the assets and resources of domestic mutual assessment associations as justify their discontinuance of business; to empower said department to require the directors and officers of said associations within thirty days to restore the amount of said deficiencies so ascertained; to provide that such associations shall be deemed insolvent if said deficiency is not restored as ordered and shall be proceeded against as such; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 502. By Legislative Insurance Investigation Committee.

A bill for an Act to amend Section 44-414, Compiled Statutes of Nebraska, 1929, relating to insurance; to provide procedure for reinsurance or consolidation of insurance companies, associations or societies authorized to transact the business of insurance under the laws of this state; to provide for submission of proposed contracts of reinsurance to the Department of Insurance and for orders as to distribution and disposition of surplus assets of the company to be reinsured; to provide for notice by mail to all policyholders, if a mutual company, or if a stock company, to all stockholders and to all participating policyholders, if such stock company has participating policies in force, containing a verbatim copy of said proposed contract of reinsurance, approval thereof and orders thereon; to provide for publication of notice thereof for five consecutive weeks; to provide that such policyholders may show cause against said proposed contract within sixty days; to provide for hearing thereon by the Department of Insurance, for the making of orders thereon and for appeal to the courts therefrom; to provide for consummation of such contracts; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 503. By Legislative Insurance Investigation Committee.

A bill for an Act to amend Section 44-327, Compiled Statutes of Nebraska, 1929, relating to insurance; to provide that no person shall act as a soliciting agent, or broker for any insurance company, or negotiate or place risks, unless the company shall have complied with certain statutes relating to said business and unless such person shall have obtained a soliciting agent's license or a broker's license; to provide that a soliciting agent or broker must be a natural person; to provide a penalty for the violation thereof; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 504. By Legislative Insurance Investigation Committee.

A bill for an Act to amend Sec. 24-1804, Comp. St. Supp., 1937, relating to burial associations; to provide limitations upon the investment of capital, surplus and other funds thereof; to limit the aggregate benefits of burial association certificates to be issued to one person to the sum of one thousand dollars; to provide that contracts of said association shall conspicuously state that said contracts are for burial benefits; to provide that the amount of said association's paid up capital stock be also conspicuously stated in its said contracts; to provide legal reserves for said association; to require that capital stock thereof shall be sold for the same amount per share and for not less than par value or for not more than one hundred twenty-five per cent of par value; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 505. By Legislative Insurance Investigation Committee.

A bill for an Act to amend Section 44-603, Compiled Statutes of Nebraska, 1929, relating to insurance; to prohibit the issuance of policies of life or endowment insurance which contain a savings or thrift plan, commonly known as "thrift insurance"; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 506. By Legislative Insurance Investigation Committee.

A bill for an Act relating to process; to prescribe procedure for the service of process on foreign or alien insurance companies transacting business in the state of Nebraska without a certificate of authority issued by the Department of Insurance of said state; to provide that the issuance or delivery of a policy or contract of insurance in this state shall be deemed equivalent to an appointment by such company, of the Director of Insurance for the Department of Insurance, and his successor or successors in office, as attorney upon whom all lawful process in any action or proceeding against such company, arising out of such policy or contract of insurance, may be made; to provide the method of such service and for notice by registered mail to such company; to provide that service of process against such company may also be made upon any person who solicits insurance, makes issues or delivers any policy or contract, collects or receives any premium, or aids or assists therein, in behalf of said company, and for notice by registered mail of such service; to provide that the methods of service authorized by this Act are in addition to other methods of service of process now or hereafter permitted by law; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move that the rules be suspended to permit the reading of the several bills, requested by the Insurance Investigation Committee, the second time. Miller.

The motion prevailed with 33 ayes, no nays, 10 not voting.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For title see Bills on First Reading)

L. B. No.	Introducer	Committee Reference
499	Legislative Insurance Investigation Committee.	Banking, Commerce & Insurance.
500	Legislative Insurance Investigation Committee.	Banking, Commerce & Insurance.
501	Legislative Insurance Investigation Committee.	Banking, Commerce & Insurance.
502	Legislative Insurance Investigation Committee.	Banking, Commerce & Insurance.
503	Legislative Insurance Investigation Committee.	Banking, Commerce & Insurance.
504	Legislative Insurance Investigation Committee.	Banking, Commerce & Insurance.
505	Legislative Insurance Investigation Committee.	Banking, Commerce & Insurance.
506	Legislative Insurance Investigation Committee.	Banking, Commerce & Insurance.

Referred to Standing Committee

LEGISLATIVE BILL NO. 498. Referred to Committee on Revenue.

SELECT FILE

LEGISLATIVE BILL NO. 288. E and R amendments as found in the Legislative Journal for the Fifty-eighth Day were adopted.

The following amendment was offered by Mr. Diers and adopted:

1. Amend the printed bill, page 1, Section 1, line 5 by striking the conjunction "and" after the word "sane" and before the word "is"

therein and by inserting in lieu thereof the punctuation and word **", who"**.

2. Amend the printed bill, page 1, Section 1, line 6 by inserting after the word "person" and before the word "to" the following: **"or who is not domiciled in any eleemosynary institution, said tax"**.

3. Amend the printed bill, page 1, title by striking all of line 6 of said title and by inserting in lieu thereof the following: "is sane, who is not a public charge as a poor person or who is not domiciled in an eleemosynary institution, for the purposes".

Mr. Mekota moved to indefinitely postpone L. B. 288, which motion lost with 10 ayes, 24 nays, 9 not voting.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 235. The following amendment was offered by Mr. Howard:

To strike out, in Section 3, line 34, beginning with subsection "a" and down to line 63 including word "said".

On motion by Mr. Mekota, further action on the Howard amendments was deferred one day.

Member Excused

Mr. Lambert was excused for the remainder of the day on account of sickness.

GENERAL FILE

LEGISLATIVE BILL NO. 100. Standing Committee amendments as found in the Legislative Journal for the Fifty-sixth Day were adopted.

Consent was granted to add the names of William J. Norman, Peter P. Gutoski and Charles F. Tvrdik of Douglas as co-introducers.

The following amendment was offered by Mr. Carsten and adopted:

Sec. 3. That, if necessary in carrying out the provisions of this Act, the said department is authorized to institute condemnation proceedings, as provided in Article 16, Chapter 83, Compiled Statutes of Nebraska, 1929.

Referred to E and R for review.

Adjournment

At 12:00 m. on motion by Mr. Schultz the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

SIXTIETH DAY

Legislative Chamber,
Lincoln, Nebraska, March 29, 1939.

The Legislature met at 9:09 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Thomas who was excused.

The Journal for the Fifty-ninth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Garber, one, favoring L. B. No. 81, No. 463 and No. 12, and opposing L. B. No. 20, No. 30 and No. 324.

Communications

A letter was read from Mr. Thomas advising that he will be back at his desk not later than Monday.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

L. B. No. 260, Tuesday, April 4, 1939, 2:00 p. m.

Revenue

L. B. No. 498, Tuesday, April 4, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL NO. 387. Indefinitely postponed.

LEGISLATIVE BILL NO. 405. Indefinitely postponed.
(Signed) Ashmore, Chairman.

Banking, Commerce and Insurance

LEGISLATIVE BILL NO. 468. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 468:

1. Amend the original bill, pages 3 and 4 (the printed bill, pages 2 and 3) by striking all of Sections 5, 6 and 7 thereon and by renumbering Sections 8 and 9 thereon to conform with the within amendment.

2. Amend the original bill, page 1, title (the printed bill, page 1, title) by striking that part of said title commencing with the preposition "to" in line 10 of said title in the original bill (line 7 of said title in the printed bill) down to and including the word and punctuation "beer;" in line 18 of said title of the original bill (line 12 of said title of the printed bill).

(Signed) Hall, Chairman.

Agriculture

LEGISLATIVE BILL NO. 292. Indefinitely postponed.

LEGISLATIVE BILL NO. 481. Placed on General File.
(Signed) Neubauer, Chairman.

Appropriations

LEGISLATIVE BILL NO. 53. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 53:

1. Amend the original bill, page 1, Section 1, line 4, (the printed bill, page 1, Section 1, line 3) by striking the word "**twenty**" therein and by inserting in lieu thereof the word "**fifteen**".

2. Amend the original bill, page 1, title, line 5, (the printed bill, page 1, title, line 4) by striking therefrom the word "twenty" therein and by inserting in lieu thereof the word "fifteen".

(Signed) Brady, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 288. Correctly engrossed.

(Signed) Craven, Chairman.

Unanimous Consent for Specific Amendment

Unanimous consent was granted to Mr. Diers to offer the following Specific Amendment to L. B. No. 288:

That L. B. No. 288 be amended, (page 2, Sec. 1, line 13, engrossed bill; page 1, Sec. 1, line 12, printed bill) by inserting after the word "person," the following: "or who is not domiciled in an eleemosynary institution,".

The Specific amendment was adopted unanimously.

Referred for reengrossment.

Presented to Governor for Approval

L. B. No. 483, Tuesday, March 28, 1939, 11:07 a. m.

(Signed) Craven, Chairman.

Select Committee Report

Investigation and Examination of Department of Insurance

Mr. President: The insurance investigating committee in meeting yesterday decided to release for hearing and further consideration by the proper committee and the Legislature the following bills:

L. B. No. 65
L. B. No. 381
L. B. No. 426
L. B. No. 353
L. B. No. 406
L. B. No. 78
L. B. No. 354
L. B. No. 412

The above bills to be reinstated in the order of business in the same priority as at the time action was deferred. (Signed) Miller, Chairman.

The report was adopted.

RESOLUTIONS

Mr. President: I move that Legislative Resolution No. 25 be amended to read as follows:

Resolution

Memorializing the Congress of the United States to take action to remove freight rate inequalities that burden the people of Nebraska and other states west of the Mississippi River, as compared with states east thereof, and authorizing the Governor of Nebraska to cooperate with the governors of other western states in preparing and prosecuting proceedings before the Interstate Commerce Commission for relief and authorizing the Governor of Nebraska to be party to such proceedings, representing the people of Nebraska and recommending appropriation of funds for purposes herein stated.

Preamble

WHEREAS, hearings recently held in Washington, D. C., before the Subcommittee on Interterritorial Freight Rates of the United States Senate and before the Committee on Interstate and Foreign Commerce of the United States House of Representatives have disclosed that the levels of freight rates on shipments by rail of class freight and commodities related thereto, and also many articles of manufactured freight and raw materials, between points in Nebraska and points in the states east of the Mississippi River, are relatively much higher, distance and cost of the transportation service considered, than the freight rates on like shipments moving wholly within the states east of the Mississippi River, and

WHEREAS, such higher freight rates constitute an unfair burden upon the commerce, the development and the prosperity of the state of Nebraska and its people, NOW THEREFORE
BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That the Congress of the United States be urged to enact such legislation as may be necessary to remove present freight rate discriminations against commerce between Nebraska and states east of the Mississippi River, and to require the establishment and maintenance of freight rates for the future, between points in Nebraska and points east of the Mississippi River, that will be no higher, distance and cost of transportation service considered, than like rates within the territory east of the Mississippi River.

2. That this resolution be spread at large upon the Journal of this Legislature; and that the Clerk of this Legislature is hereby ordered and directed forthwith to forward a copy of this resolution, properly authenticated and suitably engrossed, to the President of the United States; to the Vice President of the United States as presiding officer of the United States Senate; to the speaker of the House of Representatives of the United States; and to each of the United States Senators and Congressmen representing the state of Nebraska in the Congress to the end that representatives in the government and in the Congress of the United States will be advised that this Legislature considers as imperative remedial federal legislation which will remove present freight rate discriminations against commerce between Nebraska and states east of the Mississippi River, as set forth in the preamble of this resolution.

3. That His Excellency, R. L. Cochran, Governor of Nebraska, be hereby authorized to confer with the governors of other states west of the Mississippi River which are suffering from like freight rate inequalities with a view to bringing jointly and in cooperation with such other interested states proceedings or complaints, and presenting evidence therein or in any investigation which may be instituted before the Interstate Commerce Commission for relief from said inequalities.

4. That the Governor of Nebraska, calling to his aid and assistance the Nebraska State Railway Commission, if he deems it advisable, is hereby authorized to act in the name of the people of Nebraska as a party complaining or intervening in any such proceeding, and, to carry out the directions herein given, to employ such counsel and expert technical assistants as he may consider necessary for such purpose, all within such specific appropriation as may be made for such purpose by the Legislature; and that this Legislature further suggests that its Committee on Appropriations consider appropriating the sum of $5,000, or so much thereof as may be considered necessary, out of the general fund in the state treasury, not otherwise appropriated, for the use of the Governor or of the Governor and the Nebraska State Railway Commission, as may seem to them advisable, in the preparation and the prosecution of such proceedings.

(Signed) Rossiter of Thurston
Miller of Kimball
Murphy of Scotts Bluff.

The motion prevailed.

MOTION—To Suspend Rules and Refer

Mr. President: I move that we suspend the rules and the resolution be referred to the standing committee. (Signed) Murphy.

The motion prevailed with 35 ayes, no nays, 8 not voting.

MOTION—To Suspend Rules to Introduce Bill

Mr. President: I move that the rules be suspended to permit the introduction of a bill relating to nonprofit hospital service corporations. (Signed) Dunn.

A call of the House was ordered.

The call was raised.

The motion prevailed with 33 ayes, no nays, 10 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 507. By Dunn of Lancaster.

A bill for an Act relating to corporations; to-provide for the organization of such corporations as nonprofit hospital service corporations, without capital stock, and not for profit; to provide that no such corporation shall be converted into a corporation organized for profit; to provide conditions under which hospital service corporations may start business and for annual certificate of authority from the Department of Insurance; to prescribe terms and conditions of contracts with subscribers for hospital care and of contracts with hospitals; to provide for supervision of contract forms, rates and disbursements and to fix limits on expense; to provide for annual reports of hospital service corporations, examinations by Department of Insurance, and, in general, for supervision and liquidation thereof; to provide for exemption of hospital service corporations from taxes except upon real estate and equipment; to provide penalties for violation of this Act; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move that the rules be suspended to permit the reading of L. B. No. 507 now. (Signed) Dunn.

The motion prevailed with 31 ayes, no nays, 12 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title see Bills on First Reading)

LEGISLATIVE BILL NO. 507. By Dunn of Lancaster.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 15. (With emergency clause)

A bill for an Act relating to revenue; to authorize county boards and the governing bodies of municipalities to levy during the years 1939 and 1940, a tax of not to exceed one mill upon the taxable property within their corporate limits for the relief of unemployed and indigent persons under certain conditions; to provide for the expenditure of moneys collected under the Emergency Act of 1937 and 1938; to limit the cost of administration of all activities thereunder in all counties having a population of less than one hundred and fifty thousand inhabitants to an amount not exceeding five per cent of the moneys arising under this Act; to limit the cost of administration of all activities conducted thereunder in all counties having a population of more than one hundred and fifty thousand inhabitants to an amount not exceeding ten per cent of the moneys arising under this Act; to repeal Secs. 77-1823, 77-1824 and 77-1825, Comp. St. Supp., 1937; and to declare an emergency.

Whereupon the president stated: "All provisions of the law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Adams, E. A.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 2:

Adams, **J. Jr.**
Thomas

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and title agreed to.

LEGISLATIVE BILL NO. 19. (With emergency clause)

A bill for an Act to appropriate the sum of one thousand dollars for the benefit of Ina F. Wathen; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 40:

Adams, E. A.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 3:

Adams, **J. Jr.**
Gantz
Thomas

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 18. (With emergency clause)

A bill for an Act to appropriate the sum of twenty-five hundred dollars for the benefit of Lillian Irene Smoyer; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?"

Voting in the affirmative, 38:

Adams, E. A.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Mekota
Mischke
Mueller
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 5:

Adams, J. Jr.
Lambert
Miller
Murphy
Thomas

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 28. (With emergency clause)

A bill for an Act to amend Sec. 37-502, Comp. St. Supp., 1937, relating to game and fish; to provide that seines, hoop-nets and trammel-nets, the meshes of which are one and one-half inches square or larger may be used in certain portions of the Missouri river; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 32:

Adams, E. A.
Ashmore
Brodecky
Callan
Dunn
Garber
Gross
Gutoski
Johnson
Johnston
Klaver
Mekota
Norman
Reed
Rossiter
Sorrell

Carlson
Carsten
Diers
Doyle
Hall
Hastings
Herrick
Howard
Miller
Mischke
Mueller
Neubauer
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 6:

Brady
Craven
Gantz
Peterson
Reavis
Schultz

Not voting, 5:

Adams, J. Jr.
Lambert
Murphy
Thomas
Thornton

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 109. (With emergency clause)

A bill for an Act to amend Sec. 60-319, Comp. St. Supp., 1937, relating to motor vehicles; to provide rules and regulations governing and controlling use by and display of dealer number plates by manufacturers or licensed dealers; to prescribe the fee to be paid for each pair of said number plates; to designate the height of letters inscribed on cardboard placards or signs displayed on motor vehicles In Transit; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is "shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 39:

Adams, E. A.
Adams, J. Jr.
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 4:

Ashmore	Gross	Lambert	Thomas

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement for Journal

Mr. President: I would have voted aye for L. B. 15, 19, 18 and 28 if I had been present. (Signed) J. Adams, Jr.

SELECT FILE

LEGISLATIVE BILL NO. 235. Mr. Howard withdrew his amendment offered on the Fifty-ninth Day and offered the following amendment:

1. Amend the printed bill, page 4, Section 2, by striking all of subsection (a) commencing in line 34 and concluding in line 62 and by inserting in lieu thereof the following:

"(a) One-sixth of said ~~sixty~~ **fifty** per cent ~~(60%)~~ **(50%)** of said fund shall be, by the Department of Roads and Irrigation, placed in a special fund **for the construction of federal-feeder roads.** ~~and shall be apportioned to the credit of the several counties of the state as follows: One-third in the ratio which the area of each county bears to the total area of the state; on-third in the ratio which the mileage of rural delivery and star routes in each county bears to the total mileage of rural delivery and star routes in the state; one-third in the ratio which the number of motor vehicle registrations of each county bears to the total number of motor vehicle registrations of the state, the number of such registrations to be determined as of the next calendar year preceding the year in which such apportionment is made.~~ The Department of Roads and Irrigation shall, ~~during the calendar year in which this Act becomes a law, select forty-seven counties of this state and during said calendar year and during the first six months of the calendar year 1938,~~ **allocate,** use and expend the **fairly and equitably** said special fund ~~so apportioned~~ to the credit of **and in** each of ~~said~~ **the several** counties in conjunction with ~~Federal Funds~~ **federal funds,** furnished for ~~the~~ **that** purpose, to construct in said counties farm-to-market roads connecting with ~~Federal~~ **federal** or state highways; ~~and during the calendar year 1938, the Department of Roads and Irrigation shall use and expend the special funds so apportioned to the credit of each of the other forty-six counties in conjunction with Federal funds, furnished for the purpose, to construct in said counties farm-to-market roads connecting with Federal or state highways; No~~ **: Provided, no** more of such special funds shall be expended in any county than is necessary for the purposes set forth in this subsection (a) of this section, and any part of said special fund which is not used for such purposes shall be used by the Department of Roads and Irrigation for the state and ~~Federal~~ **federal** highway purposes hereinafter set forth in subsection (b) of this section."

MOTION—To Appoint Select Committee

Revenue Investigation

Mr. President: I move that the President appoint a committee of five to ascertain the revenue from beer and liquor, head tax, ¾ cent gas and estate tax for the next two years and report back to the Legislature tomorrow morning their findings. (Signed) Brady.

The motion prevalied and the President appointed the following members to serve on said committee:

Brady Murphy Diers Tvrdik Ashmore

Laid over.

LEGISLATIVE BILL NO. 494. E and R amendments as found in the Legislative Journal for the Fifty-ninth Day were adopted.

LEGISLATIVE BILL NO. 493. E and R amendments as found in the Legislative Journal for the Fifty-ninth Day were adopted.

LEGISLATIVE BILL NO. 492. E and R amendments as found in the Legislative Journal for the Fifty-ninth Day were adopted.

LEGISLATIVE BILL NO. 489. E and R amendments as found in the Legislative Journal for the Fifty-ninth Day were adopted.

Referred for Engrossment

L. B. No. 494 L. B. No. 493 L. B. No. 492 L. B. No. 489

GENERAL FILE

Legislative Bills No. 162, No. 265, No. 270, No. 141 and No. 389 passed over.

LEGISLATIVE BILL NO. 338. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 125. Read and considered. Laid over.

LEGISLATIVE BILL NO. 486. Read and considered. Laid over.

LEGISLATIVE BILL NO. 487. Read and considered. Laid over.

MOTION—To Make Special Order of Business

Mr. President: I move that Legislative Bills No. 125, No. 486 and No. 487 be made special order of business Friday, March 31, at 10:00 a. m. John Adams Jr.

The motion prevailed.

Message from the Governor

March 29th, 1939

To the Members of the Legislature

Gentlemen:

I have been directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bill:

L. B. No. 483.

Respectfully submitted,

(Signed) Otho K. DeVilbiss
Secretary to the Governor.

Member Excused

Mr. Brady was excused at 10:30 for the remainder of the morning.

Adjournment

At 12:04 p. m. on motion by Mr. Johnson the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SIXTY-FIRST DAY

Legislative Chamber,
Lincoln, Nebraska, March 30, 1939.

The Legislature met at 9:07 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Thomas who was excused.

The Journal for the Sixtieth Day was approved.

Communications

Letters were read from M. H. McIntyre, Secretary to the President, Congressman Carl T. Curtis and W. B. Bankhead, Speaker of the House of Representatives, acknowledging receipt of a copy of Legislative Resolution No. 20; also an excerpt from the Congressional Record stating that a copy of said resolution had been referred by the Vice President to the Special Committee to Investigate Unemployment and Relief.

NOTICE OF COMMITTEE HEARINGS

Public Health and Miscellaneous Subjects

Legislative Resolution No. 22, Wednesday, April 5, 1939, 2:00 p. m.

Banking, Commerce and Insurance

L. B. No. 507, Thursday, April 6, 1939, 2:00 p. m.

Public Works

L. B. No. 430, Friday, April 7, 1939, 2:00 p. m. (Rehearing)

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL NO. 393. Placed on General File.

LEGISLATIVE BILL NO. 496. Placed on General File.

(Signed) Von Seggern, Chairman.

Judiciary

LEGISLATIVE BILL NO. 268. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 268:

1. Amend the original bill, page 2, Section 1, line 20 (the printed bill, page 1, Section 1, line 17) by inserting after the word "property" therein the following:

", or detention of property".

(Signed) Gantz, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 100. Placed on Select File with amendment.

E and R amendment to L. B. No. 100:

1. Amend the Unofficial Copy, with Standing Committee Amendments, page 2, Section 2, line 5 by striking therefrom the words "sixty three" and by inserting in lieu thereof the word "sixty-three".

LEGISLATIVE BILL NO. 11. Replaced on Select File with amendments.

E and R amendments to L. B. No. 11:

I. Amend the original bill, title, line 3 (the printed bill, title, line 3) by striking the word "decedent" and by inserting in lieu thereof the word "decedents' ".

II. Amend the original bill, page 2, Section 1, line 21 (the printed bill, page 1, Section 1, line 18) by striking the words "judge of probate" and inserting the words "**county judge**" in lieu thereof.

Correctly Engrossed

L. B. No. 78 L. B. No. 3

Correctly Enrolled

L. B. No. 33 L. B. No. 490

(Signed) Craven, Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill No. 33.

Legislative Bill No. 490

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 25. Referred to Banking, Commerce and Insurance.

Referred to Standing Committee

L. B. No. 507. Referred to Committee on Banking, Commerce and Insurance.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 420.

A bill for an Act for the relief of Jerome J. Brazda of Cuming County, Nebraska; and to appropriate two thousand dollars therefor.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 40:

Adams, E. A.
Adams, J. Jr.
Doyle
Dunn
Johnson
Johnston
Norman
Peterson

Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Rossiter
Schultz
Sorrell
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0:

Not voting, 3:

Reavis
Reed
Thomas

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 214. (With emergency clause)

A bill for an Act to amend Section 77-201, Compiled Statutes of Nebraska, 1929, relating to revenue; to fix and determine the basis of arriving at the actual value of property subject to taxation so as to include every element and factor affecting the actual value thereof; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 30:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Craven
Diers
Gantz
Gutoski
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Miller
Mischke
Mueller
Norman
Peterson
Reavis
Rossiter
Schultz
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 9:

Carlson
Carsten
Doyle
Gross
Dunn
Hall
Mekota
Murphy
Reed

Not voting, 4:

Garber
Neubauer
Sorrell
Thomas

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL NO. 235. Mr. Howard's amendment offered on the Sixtieth Day was adopted.

The following amendments, offered by Mr. Howard, were adopted:

Sec. 2, line 67, (printed bill) after the word "highways" insert "or Federal Feeder roads" and in line 68 after the word "highways" insert "or Federal Feeder Roads," also after the word "highways" line 71 insert the words "and Federal Feeder Roads".

In line 78, insert after the word "state" the following: "and for incidental costs in connection with the Federal Aid Grade Crossing program not on state, Federal Highways or Federal Feeder Roads".

Laid over.

GENERAL FILE

A motion by Mr. Von Seggern prevailed to replace L. B. No. 285 and L. B. No. 286 following L. B. No. 264.

A motion prevailed to place L. B. No. 53 following L. B. No. 286.

LEGISLATIVE BILL NO. 162. Read and considered. Laid over.

LEGISLATIVE BILL NO. 238. Laid over.

LEGISLATIVE BILL NO. 447. Read and considered.

Mr. Tvrdik offered the following amendment:

1. Amend the mimeographed standing committee amendments page 18, by inserting a new section immediately after Section 14 therein, said section to be known and numbered as follows:

"Sec. 15. That Sec. 48-710 Comp. St. Supp., 1937, be amended to read as follows:

48-710. (a) UNEMPLOYMENT COMPENSATION DIVISION.—There is hereby created in the department of labor a division to be known as the unemployment compensation division, which shall be administered by a fulltime salaried director who shall be subject to the supervision and direction of the commissioner. Said division shall be responsible for the discharge of its distinctive functions. Said division shall be a separate administrative unit with respect to personnel, budget and duties, except in so far as the commissioner may find that such separation is impracticable. The Governor, with the consent of the Legislature, is authorized to appoint, fix the compensation, not to exceed ~~Thirty-six Hundred Dollars~~ ($3600.00) **thirty-six hundred dollars** per annum, of and prescribe the duties of the director of the unemployment compensation division provided that such appointment shall be made on a nonpartisan merit basis. **The commissioner for his services with respect to the administration of this Act, shall receive the sum of twelve hundred dollars per annum to be paid from the Unemployment Compensation Administrative fund, and the compensation hereinbefore provided shall be deemed and considered payment for services rendered in addition to the salary of said commissioner as set out in Sec. 81-103, Comp. St. Supp., 1937, as the same now exists, or as hereafter amended."**

2. Amend the standing committee amendments, mimeographed, page 19, Section 15, line 3, by inserting after the section symbol "48-713" therein the following:

", 48-710".

3. Amend the standing committee amendments, mimeographed, page 19, by renumbering Sections 15 and 16 thereon to conform with the foregoing amendments.

4. Amend the standing committee amendments, mimeographed, page 19, amendment 2, line 7 by inserting after the section symbol "48-713" therein the following:

", 48-710".

5. Amend the standing committee amendments, mimeographed, page 19, amendment 2, line 35, by inserting immediately after the word and punctuation "amended;" the following:

"to fix the compensation of the commissioner for services rendered with respect to the administration of the Unemployment Compensation Act;".

MOTION—To Defer Action

Mr. President: I move that further consideration of L. B. No. 447 and all proposed amendments thereto be deferred for one week. (Signed) Mekota.

The motion prevailed.

MOTION—To Appoint Sifting Committee

Mr. President: I move that a Sifting Committee consisting of the chairmen of all standing committees excepting the chairmen of the Rules, Enrollment and Review, and Legislative Administration committees, be appointed to act as a sifting committee to consider all bills on General File as to their importance concerning the welfare of our State. Then to arrange all bills on General File in their order of importance, giving particular preference to those bills carrying appropriations and bills pertaining to social security. Said committee to elect their own chairman and to start operating on April 3. (Signed) Diers, Schultz.

MOTION—To Amend

Mr. President: I move to amend the motion of Speaker Diers so as to provide that the sifting committee consist of ten members, two members to be chosen from each congressional district by the members from said district in caucus and the chairman to be selected by the members. (Signed) Craven.

A call of the House was ordered.

The call was raised.

A constitutional majority having failed to vote in the affirmative, the motion to amend was lost with 19 ayes, 20 nays, 4 not voting.

No action taken on Mr. Diers' motion.

Member Excused

Mr. Brady was excused at 10:30 for the remainder of the morning.

Adjournment

At 12:27 p. m. on motion by Mr. Johnson the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SIXTY-SECOND DAY

Legislative Chamber,
Lincoln, Nebraska, March 31, 1939.

The Legislature met at 9:07 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Thomas who was excused.

The Journal for the Sixty-first Day was approved.

Communications

A letter was read from Congressman Harry B. Coffee acknowledging receipt of a copy of Legislative Resolution No. 20.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

L. B. No. 412, Thursday, April 6, 1939, 2:00 p. m.

L. B. No. 426, Thursday, April 6, 1939, 2:00 p. m.

L. B. No. 406, Thursday, April 6, 1939, 2:00 p. m.

Legislative Resolution No. 25, Thursday, April 6, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL NO. 417. Placed on General File.

LEGISLATIVE BILL NO. 450. Indefinitely postponed.

LEGISLATIVE BILL NO. 484. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 484:

1. Amend the original bill, page 1 (the printed bill, page 1) by striking all of Section 1 thereon and by inserting in lieu thereof the following:

"Section 1. For the purposes of this Act a child born out of wedlock is a child begotten and born: (a) Out of lawful matrimony; (b) While the husband of its mother was separated from her a whole year previous to its birth; or (c) During the separation of its mother from her husband pursuant to a judgment of a competent court. The definition of legitimacy or illegitimacy for other purposes shall not be affected by the provisions of this Act. When used in this Act the word **child** shall mean a child born out of wedlock under the age of eighteen years. The word **support** shall include reasonable education."

2. Amend the original bill, page 2, Section 2, line 5 (the printed bill, page 1, Section 2, line 4) by striking therefrom the word "legitimate" and by inserting after the word "child" and before the word "is" therein the following:

"born in lawful wedlock".

3. Amend the original bill, page 2, Section 3, lines 3 and 4 (the printed bill, page 2, Section 3, lines 3 and 4) by striking therefrom "of the Compiled Statutes of Nebraska, 1929" and by inserting in lieu thereof the following:

", Compiled Statutes of Nebraska, 1929, as amended".

4. Amend the original bill, page 2, Section 5, lines 1 and 2 (the printed bill, page 2, Section 5, line 1) by striking therefrom "section four of this act" and by inserting in lieu thereof the following:

"Section 4 of this Act".

5. Amend the original bill, page 2, Section 5, line 14, (the printed bill, page 2, Section 5, line 14) by striking the word "on" therein and by inserting in lieu thereof the word "in".

6. Amend the original bill, page 2, Section 5, line 15, (the printed bill, page 2, Section 5, line 15) by striking therefrom the word "securities" and by inserting in lieu thereof the word "sureties".

7. Amend the original bill, page 3, Section 6, line 8, (the printed bill, page 2, Section 6, line 8) by striking therefrom the words and punctuation "an official of any relief agency,".

8. Amend the original bill, page 3, Section 6, line 3, (the printed bill, page 3, Section 6, line 12) by striking the word "Sheriff" and by inserting in lieu thereof the word "sheriff"; and in line 14 of said Section 6 of the original bill (line 13 of the printed bill) strike the word "State" and insert in lieu thereof the word "state".

9. Amend the original bill, page 3, Section 6, line 21 (the printed bill, page 3, Section 6, line 20) by striking the word "on" and by inserting in lieu thereof the word "in".

10. Amend the original bill, page 3, Section 6, line 24, (the printed bill, page 3, Section 6, line 22) by striking the words "Five of this act" and by inserting in lieu thereof the following:

"5 of this Act".

11. Amend the original bill, page 4, Section 8, lines 5 and 6, (the printed bill, page 3, Section 8, line 5) by striking therefrom the words "or an official of any relief agency"; and strike the third preposition "of" after the word "or" and before the definite article "the" therein.

12. Amend the original bill, page 4, Section 9, line 1, (the printed bill, page 3, Section 9, line 1) by striking therefrom the words "If a person shall either" and by inserting in lieu thereof the following:

"A person may".

13. Amend the original bill, page 4, Section 9, line 4, (the printed bill, page 3, Section 9, line 3) by inserting after the word and punctuation "child," therein the following:

"and, in such case".

14. Amend the original bill, page 4, Section 9, (the printed bill, page 3, Section 9) by striking the last sentence of said section in the original bill (all of lines 5, 6, 7 and 8 of the printed bill) and by inserting in lieu thereof the following:

"A child whose parents marry is legitimate as though born in lawful marriage."

15. Amend the original bill, page 4, Section 10, line 5, (the printed bill, page 4, Section 10, line 5) by striking the word "judgment" therein and by inserting in lieu thereof the word "judgments".

16. Amend the original bill, page 4, Section 11, line 2, (the printed bill, page 4, Section 11, line 2) by inserting after the word "court" and before the conjunction "where" the words "of the district".

17. Amend the original bill, page 4, Section 11, line 6, (the printed bill, page 4, Section 11, line 6) by striking therefrom the word "Sheriff" and by inserting in lieu thereof the word "sheriff".

18. Amend the original bill, page 4, Section 11, line 9, (the printed bill, page 4, Section 11, line 8) by striking the word "case" and by inserting in lieu thereof the word "trial".

19. Amend the original bill, page 4, Section 11, line 9, (the printed bill, page 4, Section 11, line 9) by striking therefrom the word "tried" and by inserting in lieu thereof the words "by the court."

20. Amend the original bill, page 5, Section 11, line 22, (the printed bill, page 4, Section 11, line 21) by striking therefrom the words "born in wedlock".

21. Amend the original bill, page 5, Section 11, line 27, (the printed bill, page 4, Section 11, line 26) by striking therefrom the words "section six of this act" and by inserting in lieu thereof the following:

"Section 6 of this Act".

22. Amend the original bill, page 5, Section 12, line 7, (the printed bill, page 5, Section 12, line 7) by inserting after the word "proceedings" therein the following:

": **Provided,** that hereafter in any local law, ordinance or resolution, or in any public or judicial proceeding, or in any process, notice, order, decree, judgment, record or other public document or paper, the term **bastard** or **illegitimate child** shall not be used but the term **child born out of wedlock** shall be used in substitution therefor and with the same force and effect".

23. Amend the printed bill, only, page 5, Section 13, line 3 by striking therefrom the word "dessertion" and by inserting in lieu thereof the word "desertion".

24. Amend the original bill, page 5, Section 13, line 4, (the printed bill, page 5, Section 13, line 4) by striking therefrom the word "sections" and by inserting in lieu thereof the word "Sections".

25. Amend the original bill, page 5, Section 13, line 5, (the printed bill, page 5, Section 13, line 5) by striking therefrom the words "of the".

26. Amend the original bill, page 5, Section 14, lines 1 and 2 (the printed bill page 5, Section 14, line 1) by striking therefrom: "Sec. 14. Sections 9-101; 9-102; 9-103; 9-104; 9-105; 9-106; 9-107" therein and by inserting in lieu thereof the following:

"Sec. 14. That Sections 9-101, 9-102, 9-103, 9-104, 9-105, 9-106, 9-107".

27. Amend the original bill, page 5, Section 14, line 2, (the printed bill, page 5, Section 14, line 2) by striking the words "of the" therein

and by inserting in lieu thereof the punctuation ","; and in said line 2 (both original and printed bills) also insert the punctuation "," after the figures "1929" therein.

28. Amend the original bill, page 5, Section 15, line 2, (the printed bill, page 5, Section 15, line 2) by striking therefrom the word "act" and by inserting in lieu thereof the word "Act".

29. Amend the original bill, page 5, Section 15, line 3, (the printed bill, page 5, Section 15, line 3) by inserting the punctuation "," after the word "unconstitutional" therein.

30. Amend the original bill, page 5, Section 15, line 4, (the printed bill, page 5, Section 15, line 4) by striking therefrom the first word "act" and by inserting in lieu thereof the word "Act".

31. Amend the original bill, page 5, Section 15, line 4, (the printed bill, page 5, Section 15, line 4) by striking therefrom the second word "act" therein and by inserting in lieu thereof the word "Act".

32. Amend the original bill, page 1, title, line 2, (the printed bill, page 1, title, line 2) by striking all of said title after the word "ACT" therein and by inserting in lieu thereof the following:

"relating to illegitimacy; to provide for the support of children born out of wedlock; to provide for the care during pregnancy, confinement and recovery of the mothers of such children; to provide for proceedings to establish the paternity of such children; and to repeal Sections 9-101, 9-102, 9-103, 9-104, 9-105, 9-106, 9-107 and 9-108, Compiled Statutes of Nebraska, 1929."

(Signed) Miller, Chairman.

Government

LEGISLATIVE BILL NO. 60. Indefinitely postponed.

LEGISLATIVE BILL NO. 113. Indefinitely postponed.

LEGISLATIVE BILL NO. 114. Indefinitely postponed.

LEGISLATIVE BILL NO. 201. Indefinitely postponed.

LEGISLATIVE BILL NO. 323. Indefinitely postponed.

LEGISLATIVE BILL NO. 396. Indefinitely postponed.

LEGISLATIVE BILL NO. 337. Indefinitely postponed.

LEGISLATIVE BILL NO. 370. Indefinitely postponed.
(Signed) Von Seggern, Chairman.

Enrollment and Review

Presented to Governor for Approval

L. B. No. 111. Friday, March 24, 1939 at 3:30 p. m.

Thursday, March 30, 1939 at 2:15 p. m.

L. B. No. 490 L. B. No. 33

Correctly Engrossed

L. B. No. 493 L. B. No. 492 L. B. No. 489

Correctly Reengrossed

Legislative Bill No. 288.

Correctly Enrolled

L. B. No. 15 L. B. No. 18 L. B. No. 19 L. B. No. 28

L. B. No. 109 L. B. No. 214 L. B. No. 420
(Signed) Craven, Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 15 L. B. No. 18 L .B. No. 19 L. B. No. 109

L. B. No. 28 L. B. No. 214 L. B. No. 420

MOTION—To Suspend Rules to Introduce Bill

Mr. President: I move that the rules be suspended to permit the introduction of a bill relating to revenue. Ashmore.

The motion prevailed with 33 ayes, no nays, 10 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 508. By Committee on Revenue.

A bill for an Act relating to taxation; to provide for the appointment of deputy tax commissioners; to prescribe their duties; to fix their compensation; to appropriate funds for payment of such compensation and expenses; to prescribe duties of the tax commissioner and state board of equalization and assessment for enforcement of tax laws of the state; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move that the rules be suspended to permit the reading of L. B. No. 508 the second time now. Ashmore.

The motion prevailed with 31 ayes, no nays, 12 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title see Bills on First Reading)

LEGISLATIVE BILL NO. 508. Referred to Committee on Revenue.

SELECT FILE

LEGISLATIVE BILL NO. 235. By unanimous consent Mr. Ashmore offered the following Select File amendments to L. B. No. 235:

1. Amend the printed bill, page 4, Section 2, by striking out beginning with line 34, subsection "(a)" and down to line 63, including the word "said" ", together with any and all General File Amendments to said subsection (a), Section 2."

2. Amend the printed bill, page 4, Section 2, line 63, by adding the word **"This"** before the word "fund".

3. Amend the printed bill, page 4, Section 2, line 67, by inserting after the word "highways" and before the ";" the following: **"or federal feeder roads".**

4. Amend the printed bill, page 5, Section 2, line 68, by inserting after the word "highways" and before the word "including" the following: **"or federal feeder roads".**

5. Amend the printed bill, page 5, Section 2, line 71, by inserting after the word "highways" and before the word "as" the following: **"or federal feeder roads".**

6. Amend the printed bill, page 5, Section 2, line 78, by inserting after the word "state" and before the "." the following: **"and for incidental costs in connection with the federal aid grade crossing program not on state or federal highways or federal feeder roads".**

These amendments were adopted unanimously.

LEGISLATIVE BILL NO. 100. E and R amendments as found in the Legislative Journal for the Sixty-first day were adopted.

LEGISLATIVE BILL NO. 11. E and R amendments as found in the Legislative Journal for the Sixty-first day were adopted.

Referred for Engrossment.

L. B. No. 235 L. B. No. 100 L. B. No. 11

MOTION—To Lay Over Bills on Special Order of Business

Mr. President: I move that L. B. No. 125, L. B. No. 486 and L. B. No. 487 be laid over and be made Special Order of Business April 3, 1939 at 9:30 a. m. Tvrdik.

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL NO. 264. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 285. Read and considered.

Mr. Gross presiding.

Mr. Von Seggern moved that the Standing Committee Amendments be adopted.

Mr. Ernest A. Adams' motion to postpone further consideration until Wednesday was lost with 16 ayes, 21 nays, 6 not voting.

Standing Committee amendments as found in the Legislative Journal for the Fifty-seventh Day were adopted.

Mr. Ernest A. Adams' motion to indefinitely postpone was lost with 10 ayes, 21 nays, 12 not voting.

Referred to E and R for review.

MOTION—To Reconsider Action

Mr. President: I move that the Committee's report be reconsidered and that L. B. No. 450 be placed on General File. (Signed) Doyle.

Record vote requested.

Voting in the affirmative, 27:

Callan
Carlson
Craven
Diers
Doyle
Gantz
Garber
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Mischke
Norman
Reed
Rossiter
Schultz
Sorrell
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 2:

Brodecky
Dunn

Not voting, 14:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Carsten
Gross
Miller
Mueller
Murphy
Neubauer
Peterson
Reavis
Thomas
Thornton

The motion prevailed.

L. B. No. 450 placed on General File.

MOTION—To Reconsider Action

Mr. President: I move that we reconsider our action on L. B. No. 370 and that it be placed on General File. (Signed) Gutoski.

The motion prevailed with 27 ayes, 7 nays, 9 not voting.

MOTION—To Amend

Mr. President: I move that the motion to appoint a Sifting Committee (Legislative Journal Sixty-first Day) be amended to read as follows:

I move that the Standing Committees, with the exception of Rules, Enrollment and Review, and Legislative Administration Committee, select one of their members to act on a Sifting Committee, said Sifting Committee to consider all bills on General File as to their importance concerning the welfare of our State; to arrange all bills on General File in their order of importance, giving particular preference to those bills carrying appropriations and bills pertaining to social security; to elect their own chairman and to start operating on April 3. (Signed) Ashmore.

No action taken thereon.

Message from Governor

March 30th, 1939.

To the Members of the Legislature

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bills:

L. B. No. 33 L. B. No. 490

Respectfully submitted,

(Signed) Otho K. De Vilbiss,
Secretary to the Governor.

Adjournment

At 12:20 p. m. on motion by Mr. Carlson the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SIXTY-THIRD DAY

Legislative Chamber,
Lincoln, Nebraska, April 3, 1939.

The Legislature met at 9:10 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Sixty-second Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Tvrdik, one, favoring L. B. No. 185; all members, one, favoring L. B. No. 118, L. B. No. 179, L. B. No. 227; one, requesting a tax on the income of state employees.

Communications

A letter was read from Congressman Karl Stefan, acknowledging receipt of a copy of Legislative Resolution No. 20; one from Frank J. Ryan, Secretary of State of Kansas, enclosing a copy of Concurrent Resolution No. 28 of that state concerning deportation of alien residents; one from Seth Braun, Secretary of the Izaak Walton League of Columbus, acknowledging receipt of a copy of Resolution No. 16; one from Neil C. Vandemoer, Director of Assistance, enclosing 45 copies of a letter from the Regional Representative of the Social Security Board, under date of March 4th, 1939, and 45 copies of a letter from Oscar M. Powell, Acting Executive Director, Bureau of Public Assistance, dated October 6, 1938.

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL NO. 350. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 350:

1. Amend the original bill, page 2, Section 1, line 6 (the printed bill, page 1, Section 1, line 5) by inserting after the word "vehicles" and before the word "shall" the following:

", including straight truck and full trailer,".

2. Amend the original bill, page 2, Section 1, line 10 (the printed bill, page 1, Section 1, line 8) by inserting after the conjunction "and" and before the word "registration" therein the following:

"for purposes of".

3. Amend the original bill, page 2, Section 1 (the printed bill, page 1, Section 1) by striking that part of said section commencing with the article "The" in line 11 of the original bill (line 9 of the printed bill) down to and including the figures and punctuation "1937." in line 18 of the original bill (line 14 of the printed bill) and by inserting in lieu thereof the following:

"(d) The tractor and semi-trailer shall be construed to be one vehicle for the purposes of determining lengths and for purposes of registration, and, when so combined shall not exceed a total length of forty-five feet.".

4. Amend the original bill, page 2, Section 1, line 23 (the printed bill, page 2, Section 1, line 18) by striking the punctuation "." after the word "highways" and by inserting in lieu thereof ":".

5. Amend the original bill, page 2, Section 1, lines 26 and 31 (the printed bill page 2, Section 1, lines 21 and 24) by striking the word "State" in each of said lines, respectively, and by inserting in lieu thereof the word **"state".**

6. Amend the original bill, page 3, Section 2, line 4 (the printed bill, page 2, Section 2, line 4) by striking the figure "20" and by inserting in lieu thereof the word **"twenty".**

7. Amend the original bill, page 3, Section 2, line 11 (the printed bill, page 2, Section 2, line 9) by striking therefrom the figures "32,000" and by inserting in lieu thereof the figures **"40,000".**

8. Amend the original bill, page 3, Section 2, line 22 (the printed bill, page 2, Section 2, line 17) by inserting after the punctuation ";" therein the following:

"nor shall any tractor and semi-trailer carry a gross load weight in excess of 40,000 lbs., gross load weight on all axles not exceeding 40,000 lbs. distributed so that the gross load weight on any axle of tractor or semi-trailer shall not exceed 16,000 lbs.;"

9. Amend the original bill, page 1, title, line 4 (the printed bill, page 1, title, line 3) by striking all of said title after the word and punctuation "travel;" and by inserting in lieu thereof the following:

> "to provide that a tractor and semi-trailer shall be construed as one vehicle for the purpose of determining the lengths and for purposes of registration; to provide that a tractor and semi-trailer when combined shall not exceed a total length of forty-five feet; to provide rules and regulations with respect to wheel distances between axles and maximum loads per axle on regular trucks or in the several combinations of trucks, tractors and semi-trailers; to repeal said original section; and to declare an emergency."

LEGISLATIVE BILL NO. 319. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 319:

1. Amend the original bill, pages 2 and 3, Section 1, (the printed bill, page 2, Section 1,) by striking that part of said section in the original bill commencing with the word "for" in line 39 of said section (the printed bill, line 29) down to and including the word and punctuation "~~capacity.~~" in line 44 of the original bill (line 33 of the printed bill) and by inserting in lieu thereof the following:

"For truck ~~with carrying capacity of 1½ tons~~ **weighing 2500 lbs.** or less, ~~4.00~~ **$3.00; for trucks weighing over 2500 lbs., and less than 6000 lbs. $4.00 and $1.00 for each 1000 lbs. or fraction thereof over 6000 lbs.** ~~$8.00; 2 tons, $6.00 for truck with carrying capacity of more than 8 tons, $4.00 for each additional ton of the carrying ton capacity.~~"

LEGISLATIVE BILL NO. 206. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 206:

1. Amend the original bill, page 1, Section 1, line 2 (the printed bill, page 1, Section 1, line 2) by striking the word "State" therein and by inserting in lieu thereof the word "state".

2. Amend the original bill, page 1, Section 1, line 2 (the printed bill, page 1, Section 1, line 2) by inserting after the word and punctuation "Nebraska," therein the following:

'hereinafter called "department",'.

3. Amend the original bill, page 1, Section 1, lines 5 and 6; page 2, Section 2, line 4; page 2, Section 3, line 8; page 2, Section 4, lines 3, 4, 5 and 6; and page 4, Section 8, line 16 (the printed bill, page 1, Section 1, lines 4 and 5; page 2, Section 2, line 4; page 2, Section 3, line 7; page 2, Section 4, lines 2, 3, 4 and 5; and page 3, Section 8, lines 14 and 15) by striking the word "Department" wherever the same appears in each of said lines respectively, and by inserting in lieu thereof the word "department".

4. Amend the original bill, page 1, Section 1, lines 7, 8 and 12; pages 1 and 2, Section 2, lines 3, 4 and 7; page 2, Section 3, lines 3, 4, and 13; page 2, Section 4, line 2; page 3, Section 6, line 1; (the printed bill, page 1, Section 1, line 7; page 1, Section 2, line 3; page 2, Section 2, lines 8 and 9; page 2, Section 3, lines 3, 11 and 12; page 2, Section 4, lines 1 and 2; page 2, Section 6, line 1) by striking the words "Department of Roads and Irrigation" wherever the same appear in each of said lines respectively, and by inserting in lieu thereof the word "department".

5. Amend the original bill, page 2, Section 3, lines 5 and 6 (the printed bill, page 2, Section 3, lines 4 and 5) by striking therefrom the following: "Department of Roads and Irrigation in the State House not later than 5 P. M." and by inserting in lieu thereof the following:

"department in the State Capitol not later than five o'clock P. M.".

6. Amend the original bill, page 2, Section 4, (the printed bill, page 2, Section 4) by striking the last sentence in said section commencing with the word "Such" in line 8 of the original bill (line 7 of the printed bill).

7. Amend the original bill, page 3, Section 5, line 5 (the printed bill, page 2, Section 5, line 4) by striking therefrom the words "State or" and by inserting in lieu thereof the following:

"state or of".

8. Amend the original bill, page 3, Section 7 (the printed bill, page 3, Section 7) by striking lines 1 and 2 of said section in the original bill (lines 1 and 2 of the printed bill) and by inserting in lieu thereof the following:

"Sec. 7. That Section 39-1425, Compiled Statutes of Nebraska, 1929, be amended to read as follows:".

9. Amend the original bill, page 3, Section 7, line 9 (the printed bill, page 3, Section 7, line 8) by striking therefrom the punctuation and words "; provided that" and by inserting in lieu thereof the following:

": Provided".

10. Amend the original bill, page 3, Section 7, line 12 (the printed bill, page 3, Section 7, line 11) by striking therefrom the words "Provided, however" and by inserting in lieu thereof the words **"and provided further".**

11. Amend the original bill, page 3, Section 8 (the printed bill, page 3, Section 8) by striking lines 1 and 2 of the original bill (lines 1 and 2 of the printed bill) and by inserting in lieu thereof the following:

"Sec. 8. That Section 39-1505, Compiled Statutes of Nebraska, 1929, be amended to read as follows:".

12. Amend the original bill, page 4 (the printed bill, page 3) by striking all of Section 9 thereon and by inserting in lieu thereof the following:

"Sec. 9. That said original Sections 39-1425 and 39-1505, Compiled Statutes of Nebraska, 1929, are hereby repealed.".

13. Amend the original bill, pages 1, 2, 3 and 4 (the printed bill, pages 1, 2 and 3) by striking the first word "Section" in line 1 of the original bill (line 1 of the printed bill) in Sections 2 to 9 inclusive and by inserting in lieu thereof the abbreviation and punctuation "Sec.".

14. Amend the original bill, page 1, title (the printed bill, page 1, title) by striking from lines 2 and 3 in the original bill, (lines 2 and 3 of the printed bill) the following: "contracts with the Department of Roads and Irrigation, State of Nebraska" and by inserting in lieu thereof the following: "highways and bridges".

15. Amend the original bill, page 1, title (the printed bill, page 1, title) by striking all of said title after the word "same" in line 10 of the original bill, (line 8 of the printed bill) and by inserting in lieu thereof the following:

"; to amend Sections 39-1425 and 39-1505, Compiled Statutes of Nebraska, 1929; and to repeal said original sections.".

LEGISLATIVE BILL NO. 185. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 185:

1. Amend the original bill, pages 4 and 5, Section 1, (the printed bill, pages 3 and 4, Section 1) by striking all of said section after the figures and punctuation "1937:" in line 80 of the original bill (line 62 of the printed bill) and by inserting in lieu thereof the following:

"Provided, that no district organized under the provisions of Secs. 70-701 to 70-717, inclusive, Comp. St. Supp., 1937, as originally enacted and all amendments thereto, or of this Act and all amentments thereto, shall have the power to purchase, lease or otherwise acquire, for any of the purposes described in this section or otherwise, any electric light or power plant, lines or systems, or any parts thereof, within the boundaries of any city or village of this state whether such city or village is without, within or partly within the boundaries of such district, unless such purchase, lease or acquisition, as the case may be, shall be authorized by a majority vote of the qualified electors of such city or village voting on such proposition at any regularly called election, and unless three weeks notice of the submission of such proposition shall be given immediately before such election by the governing body of such city or village by publication in some legal newspaper published in and of general circulation in such city or village, or, if no legal newspaper is published therein, then by publication in some legal newspaper of general circulation therein and by posting in five or more public places therein. The expenses of said election shall be divided equally between such city or village and such district: Provided, such proposition shall be submitted to the electors by the local governing body of such city or village within sixty days after a sufficient petition requesting the submission of such proposition signed by the qualified electors of such city or village equal in number to twenty per cent of the largest vote cast at the last general municipal election held therein shall have been filed with the clerk of such city or village. The same question shall not again be submitted until two years shall have elapsed from and after the date of the last submission of the question. No such vote of the electors of any city or village shall be required for the construction of a power line or lines by any such district into any city or village from without the boundaries thereof, for the sole purpose and use of carrying electrical energy through said city or village or of delivering electrical energy to or taking delivery of same from a power plant or system in said city or village."

2. Amend the original bill, title, page 1 (the printed bill, title, page 1) by striking all of said title after the word and punctuation "districts;" in line 5 of the original bill (line 4 of the printed bill) and by inserting in lieu thereof the following:

"to provide that such districts shall not hereafter construct, purchase, lease or otherwise acquire any electric light or power plant, lines or systems within the boundaries of any city or village, whether such city or village is without, within or partly within the boundaries of any such district, except upon approval by a vote of a majority of the qualified electors of such city or village voting thereon; to provide the manner of holding such election, the method for defraying the expense of such election and the giving of notice thereof; to require no vote for certain construction work of districts; to repeal said original section; and to declare an emergency."

LEGISLATIVE BILL NO. 390. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 390:

1. Amend the original bill, pages 1, 2 and 3 (the printed bill, pages 1 and 2) by striking all of Sections 1 and 2 thereon and by inserting in lieu thereof the following:

"Section 1. That Sec. 68-324, Comp. St. Supp., 1937, as amended by Section 1, Legislative Bill No. 429, Fifty-third Session, Nebraska State Legislature, 1939, be amended to read as follows:

68-324. The State Assistance Fund for the period ending June 30, ~~1939~~ **1941** shall be divided as follows: (1) For salaries and expenses of state administration not more than two percent of the said State Assistance Fund **and the unexpended balance, if any, shall revert to the State Assistance Fund;** (2) For child welfare services, not more than the sum of $50,000.00 from said fund; (3) ~~For crippled children services, not more than the sum of $93,000.00 from said fund; (4)~~ For surplus commodities distribution and certifications for federal relief, assistance and service projects not more than ~~8~~ **eight** per cent of the balance of said fund; ~~(5)~~ (4) The balance remaining in said **State** Assistance ~~fund~~ **Fund,** after deducting the above items, 1 to ~~4~~ **3,** inclusive, shall be used for the payment of ~~Old Age, Blind, and Aid to Dependent Children Assistance~~ **old age, blind and aid to dependent children assistance** grants as provided in the ~~next succeeding section~~ **Sec. 68-325, Comp. St. Supp., 1937, as amended by Sec. 2, Legislative Bill No. 429, Fifty-third Session, Nebraska State Legislature, 1939.** A portion of said ~~8~~ **eight** per cent of said balance specified under item ~~4~~ **3** above may be used, if necessary, to pay the cost of distribution of surplus commodities furnished to the various counties for relief by any agency of the federal government, but no money from said ~~8~~ **eight** per cent fund shall be expended for such purpose unless it is found by the Board of Control **of state institutions** that the surplus commodities offered to any county are of a type, variety, quality and quantity needed by such county for distribution to needy persons eligible therefor in such county whose requirements could not be better and more economically satisfied through some other form of relief; and a portion of said 8 **eight** per cent fund may also be used, if necessary, to pay expenses and salaries in whole or in part of persons who may be employed by the Board of Control **of state institutions** and by the various counties for investigating and making certifications with respect to applicants for work or assistance under the Works Progress Administration, National Youth Administration, Resettlement Administration and for enrollment in the Civilian Conservation Corps and for surplus commodities, and for relief assistance or services afforded by any other federal agencies. Such personnel making such certifications may also be used in making certifications under the assistance laws of this state in coordination and conjunction with personnel employed for such latter purpose by the state and county assistance administrations. Only such part of said 8 **eight** per cent fund shall be expended for the certifications first above mentioned as the Board of Control **of state institutions** shall, after investigation, find are required to enable needy, eligible persons to secure employment, relief or assistance from said federal agencies, services and commodities. Any portion of said 8 **eight** per cent fund that shall not be used for such commodities distribution or certification purposes within any six-month period of the biennium upon a pro rata basis by such periods shall revert to the State Assistance Fund to be allocated and distributed to the various counties as provided for under item 5 above.

Sec. 2. That said original Sec. 68-324, Comp. St. Supp., 1937, as amended by Section 1, Legislative Bill No. 429, Fifty-third Session, Nebraska State Legislature, 1939, is hereby repealed.".

2. Amend the original bill, page 1, title (the printed bill, page 1, title) by striking all of said title after the word "ACT" in line 2 of the original bill (line 2 of the printed bill) and by inserting in lieu thereof the following:

"to amend Sec. 68-324, Comp. St. Supp., 1937, as amended by Section 1, Legislative Bill No. 429, Fifty-third Session, Nebraska State Legislature, 1939, relating to the State Assistance Fund; to provide for the division of said fund, together with certain unexpended balances for salaries and expenses of state administration, among assistance activities until June 30, 1941; to repeal said original section as amended; and to declare an emergency.".

LEGISLATIVE BILL NO. 495. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 495:

1. Amend the original bill, page 2, Section 1 (the printed bill, page 1, Section 1) by striking that part of said section commencing with the preposition "for" in line 7 of the original bill, (line 5 of the printed bill) down to and including the word and punctuation "Nebraska." in line 11 of the original bill, (line 8 of the printed bill) and by inserting in lieu thereof the following:

"for the purpose of constructing highways over the shortest and most practical routes, as determined by the Department of Roads and Irrigation, transversing any part or area of the state of Nebraska, having a lineal dimension of one hundred twenty-five miles or more, in which there are not now hard surfaced highways transversing the greatest dimension thereof: Provided, that this Act shall not be interpreted to mean that the total cost of such highways, when finally completed, shall be limited to said sum of two hundred thousand dollars, but that said sum shall, together with any other funds available, be expended to accomplish the purpose of this Act, contracts for the construction of said highways to be let prior to June 30, 1941."

2. Amend the original bill, page 1, title (the printed bill, page 1, title) by striking all of said title after the word "forthwith" in line 7 of the original bill (line 5 of the printed bill) and by inserting in lieu thereof the following:

"highways bisecting areas of the state of Nebraska having a lineal dimension of one hundred twenty-five miles or more, by the most feasible routes; to make said money reappropriated immediately available for the uses and purposes of this Act; and to declare an emergency."

LEGISLATIVE BILL NO. 168. Placed on General File with amendments.

(Standing Committee amendments mimeographed in lieu of printing in Journal.)

LEGISLATIVE BILL NO. 457. Indefinitely postponed.

LEGISLATIVE BILL NO. 123. Indefinitely postponed.

(Signed) Howard, Chairman.

MOTION—Not to Concur in Report

Mr. President: I move that we do not concur in the recommendation of the Committee on Public Works that L. B. No. 123 as amended be indefinitely postponed. (Signed) Mekota.

No action thereon.

Government

LEGISLATIVE BILL NO. 250. Placed on General File.

LEGISLATIVE BILL NO. 296. Placed on General File.

LEGISLATIVE BILL NO. 336. Placed on General File with amendments.

Standing Committee amendments to L. B. N. 336:

1. Amend the original bill, page 2, Section 1, line 1 (the printed bill, page 1, Section 1, line 1) by striking the words "property owners" and by inserting in lieu thereof the word "electors".

2. Amend the original bill, page 2, Section 2, line 2 (the printed bill, page 1, Section 2, line 1) by striking the words "property owners" and by inserting in lieu thereof the word "taxpayers".

3. Amend the original bill, page 2, Section 2, line 11 (the printed bill, page 2, Section 2, line 8) by striking therefrom the words "exact area in acres" and by inserting in lieu the words "area in square miles".

4. Amend the original bill, page 2, Section 2, line 13 (the printed bill, page 2, Section 2, line 10) by striking the punctuation "," therein and by inserting the punctuation "." in lieu thereof and by striking the rest of said section.

5. Amend the original, pages 3 and 4 (the printed bill, pages 2 and 3) by striking all of Sections 3, 4 and 5 thereon and by inserting in lieu thereof the following:

"Sec. 3. When a petition or petitions for the organization of a rural fire protection district shall have been signed it or they shall be filed with the county clerk who shall determine and certify that a majority of the voters therein have signed such petition. The county clerk shall thereupon designate a time and place for the petitioners and residents of the proposed district to meet to complete the organization. Notice of such meeting shall be given by publication for one week in a newspaper of general circulation in the county: Provided, that, if the proposed district shall be within two or more counties, the county clerk of the county wherein the largest number of petitioners shall have signed, shall fix the time and place for the organization meeting after he shall have conferred with the clerk or clerks of the other counties interested and after the clerk of the county containing the fewer number of petitions shall have certified as to the adequacy of the petitions in that county.

Sec. 4. At a public meeting to be held within the district permanent organization shall be effected by the election of a president, a vice president, a secretary-treasurer and a board of directors consisting of five residents of the district, three of whom shall be the elected officers. All officers shall be elected for two years and hold office until their successors have been elected, except that at the first election the vice president and one director shall be elected for one year terms: Provided, that if the district shall embrace more than one township each township shall be represented on the board of directors. All officers shall serve without pay.

Sec. 5. At the organization meeting, or at subsequent public meetings, the members of the district may by majority vote, or through delegation of authority to the board of directors, determine upon a general fire protection policy for the district and estimate the probable expense for carrying out such contemplated program. Such estimate shall be certified by the president and secretary to the proper county clerk, or county clerks, who shall levy a tax, which may not exceed one-half mill, upon the taxable property within said district for the maintenance of the fire protection district for the fiscal year as provided by law. Said tax to be collected as other taxes are collected in the county and deposited with the county treasurer, to be placed to the credit of the rural fire protection district so authorizing the same, to be paid out upon warrants drawn upon the fund by the said board of directors of said district bearing the signature of the treasurer and the counter-signature of the president of said rural fire protection district. In no case shall the amount of tax levy exceed the amount of funds required to defray the expenses of the district for a period of one year as embraced in the budget which forms the basis of the assessment and levy, and the amount of principal and interest upon the indebtedness of the district for the ensuing year."

6. Amend the original bill, pages 4, 5, 6 and 7 (the printed bill, pages 3, 4 and 5) by striking all of Sections 6, 7, 8 and 9 thereon; and on page 7 of the original bill (page 5 of the printed bill) strike all of Section 10 thereon and insert in lieu thereof the following:

"Sec. 6. No district shall become indebted for more than $2,000, nor for an amount that may not be payable from three annual maximum tax levies as herein provided."

7. Amend the original bill, page 7, Section 11, line 1 (the printed bill, page 5, Section 11, line 1) by striking the figures "11" and by inserting in lieu thereof the figure "7".

8. Amend the original bill, page 8, Section 12, line 1 (the printed bill, page 5, Section 12, line 1) by striking therefrom the figure "12" and by inserting in lieu thereof the figure "8".

9. Amend the original bill, page 8, Section 12, lines 6 and 7 (the printed bill, page 5, Section 12, line 5) by striking therefrom the words "or become annexed to".

10. Amend the original bill, page 8, Section 12, lines 7 and 8 (the printed bill, page 5, Section 12, line 6) by striking therefrom the words "already provided with fire protection equipment".

11. Amend the original bill, pages 8 and 9, Section 12, (the printed bill, page 6, Section 12) by striking the remainder of said section commencing with the word "Also" in line 10 of the original bill (line 8 of the printed bill).

12. Amend the original bill, page 10 (the printed bill, pages 6 and 7) by striking all of Section 13 thereon.

13. Amend the original bill, page 10 (the printed bill, page 7) by renumbering Sections 14 and 15 and 16 to comply with the foregoing amendment.

14. Amend the original bill, page 1, title (the printed bill, page 1, title) by striking all of said title after the word "ACT" in line 2 of the original bill (line 2 of the printed bill) and by inserting in lieu thereof the following:

"to provide procedure for the organization and operation of rural fire protection districts; to provide for the establishment and officers of such districts; to provide for making and collection of tax levies upon assessable properties in such districts; to provide for borrowing money and limit the amount thereof; to provide for contracting or consolidation with other districts or municipalities."

LEGISLATIVE BILL NO. 440. Indefinitely postponed.

LEGISLATIVE BILL NO. 441. Placed on General File.

(Signed) Von Seggern, Chairman.

Judiciary

LEGISLATIVE BILL NO. 349. Indefinitely postponed.

LEGISLATIVE BILL NO. 361. Indefinitely postponed.

LEGISLATIVE BILL NO. 454. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 454:

1. Amend the original bill, page 1, Section 1, line 2 (the printed bill, page 1, Section 1, line 2) by striking the word "hereby" therein.

2. Amend the original bill, page 2, Section 1, line 7 (the printed bill, page 1, Section 1, line 5) by inserting the punctuation "," after the stricken conjunction "or" and before the word "judgment" therein; and strike the punctuation "," after the word "creditor" in said line.

3. Amend the original bill, page 1, title, line 8 (the printed bill, page 1, title, line 5) by striking the words "County Clerk" therein and by inserting in lieu thereof the words "county clerk".

LEGISLATIVE BILL NO. 343. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 343:

1. Amend the original bill, page 1, Section 1 (the printed bill, page 1, Section 1), by striking the first three lines of said section of the original bill (the first three lines of said section in the printed bill) and by inserting in lieu thereof the following:

"Section 1. That Sec. 48-133, Comp. St. Supp., 1937, be amended to read as follows:".

2. Amend the original bill, page 1, Section 1, line 4 (the printed bill, page 1, Section 1, line 4) by inserting "(a)" after the section symbol and punctuation "48-133."; and in line 14 of said Section 1 of the original bill (line 13 of the printed bill) strike "Compensation Court" and insert in lieu thereof **"compensation court"**.

3. Amend the original bill, page 1, Section 1, line 32 (the printed bill, page 2, Section 1, line 28) by striking the word "act" and by inserting in lieu thereof the word **"Act"**.

4. Amend the original bill, page 2 (the printed bill, page 2) by striking all of Section 2 thereon and by inserting in lieu thereof the following:

"(b) The provisions of this section allowing claimants for compensation one year from the occurrence of the injury in which to make their claim for compensation, shall apply to all claims for compensation heretofore made and still pending for final adjudication in the courts as well as to any claims for compensation hereafter to be made.".

5. Amend the original bill, page 2 (the printed bill, page 2) by striking all of Sections 3 and 4 thereon and by inserting in lieu thereof the following:

"Sec. 2. That said original Sec. 48-133, Comp. St. Supp., 1937, is hereby repealed.

Sec. 3. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law.".

6. Amend the original bill, page 1, title (the printed bill, page 1, title) by striking all of said title after the word "ACT" in line 2 of the original bill (line 2 of the printed bill) and by inserting in lieu thereof the following:

"to amend Sec. 48-133, Comp. St. Supp., 1937, relating to labor; to provide that claims for compensation both in pending and in future cases may be made within one year from the occurrence of the injury for which compensation is sought; to repeal said original section; and to declare an emergency.".

7. Amend the original bill, page 1, caption "Introduced by" (the printed bill, page 1) by striking all of said caption after the word "by" therein and by inserting in lieu thereof the following: "George I. Craven of Lancaster.".

LEGISLATIVE BILL NO. 200. Indefinitely postponed.
(Signed) Gantz, Vice Chairman.

Revenue

LEGISLATIVE BILL NO. 431. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 431:

1. Amend the original bill, page 1, Section 1, line 2 (the printed bill, page 1, Section 1, line 1) by striking therefrom "January 1, 1939" and by inserting in lieu thereof the words:

"the effective date of this Act".

2. Amend the original bill, page 2, Section 2, line 5 (the printed bill, page 1, Section 2, line 4) by striking therefrom the words "exceed 5%" and by inserting in lieu thereof the following:

"exceed five per cent".

3. Amend the original bill, page 2, Section 3, line 8 (the printed bill, page 2, Section 3, line 6) by striking the word "taxpayers" and by inserting in lieu thereof the word "electors".

4. Amend the original bill, page 2, Section 3, line 14 (the printed bill, page 2, Section 3, line 10) by inserting after the preposition "on" the words "or in".

5. Amend the original bill, page 2, Section 4 (the printed bill, page 2, Section 4) by striking all of the first sentence in said section and by inserting in lieu thereof the following:

"If twenty per cent of the electors voting at the last general election should file a protest within thirty days from the last date of publication, then in that event the question of whether the political subdivision shall issue funding bonds may be voted on at an election to be held within sixty days thereafter and said bonds shall be issued if a majority of the voters voting on the issue are in favor thereof."

6. Amend the original bill, page 3, Section 6, line 3 (the printed bill, page 2, Section 6, line 2) by striking the word "special" therein.

(Signed) Ashmore, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 351. Placed on Select File with amendments.

E and R amendments to L. B. No. 351:

I. Amend the original bill, page 2, Section 1, line 9 (the printed bill, Section 1, line 8) by striking the figures "16" and by inserting in lieu thereof the word **"sixteen"**.

II. Amend the original bill, page 2, Section 1, line 10 (the printed bill, page 1, Section 1, line 9) by striking the word "State" and by inserting in lieu thereof the word **"state"**.

III. Amend the original bill, page 4, Section 2, line 41 (the printed bill, page 3, Section 2, line 33) by striking the punctuation " , " after the word **"resources"** therein; and in line 43 of said Section 2 of the original bill (line 35 of said Section 2 of the printed bill) strike the punctuation " , " after the word **"case"** therein.

IV. Amend the original bill, page 4, Section 2, line 45 (the printed bill, page 3, Section 2, line 36) by striking the punctuation and word **". If"** and by inserting in lieu thereof the following:

": Provided, however, if"

V. Amend the original bill, page 1, title, line 7 (the printed bill, page 1, title, line 5) by striking the word "State" therein and by inserting in lieu thereof the word "state".

VI. Amend the General File Amendments, Amendment No. 1, page 1, lines 2, 3 and 4 by striking therefrom "vocational rehabilitation, temporary medical and surgical care, fuel and food" therein and by inserting in lieu thereof the following:

"vocational rehabilitation, medical and surgical care, fuel and food"

VII. Amend the General File Amendments, Amendment No. 5, page 2, lines 2 and 3, by underscoring the words "county assistance committee".

VIII. Amend the original bill, page 2, Section 1, line 23 (the printed bill, page 2, Section 1, line 19) by striking the punctuation " . " after the word "applicant" and by inserting in lieu thereof the punctuation " ; ".

LEGISLATIVE BILL NO. 338. Placed on Select File with amendments.

E and R amendments to L. B. No. 338:

I. Amend the original bill, page 1, Section 1, line 7 (the printed bill, page 1, Section 1, line 6) by striking the word "State" therein and by inserting in lieu thereof the word **"state"**.

II. Amend the original bill, page 1, Section 1, line 14 (the printed bill, page 1, Section 1, line 11) by striking therefrom the punctuation and words"; **provided, however**" therein and by inserting in lieu thereof the following:

": Provided".

III. Amend the original bill, page 2, Section 1, line 21 (the printed bill, page 1, Section 1, line 16) by inserting after the word "thousand" and before the word "or" therein the word **"inhabitants"**.

IV. Amend the original bill, page 1, title, line 4 (the printed bill, page 1, title, line 3) by striking the definite article "the" after the word "remove" and before the word "county" therein; and in line 5 of said title of the original bill (line 4 of said title of the printed bill) after the preposition "on" and before the word "County" insert the definite article "the".

LEGISLATIVE BILL NO. 264. Placed on Select File with amendments.

E and R amendments to L. B. No. 264:

I. Amend the original bill, page 2, Section 1, line 7 (the printed bill, page 1, Section 1, line 6) by inserting the figures "14" after the abbreviation and punctuation "No." therein.

II. Amend the original bill, page 1, title, line 12 (the printed bill, page 1, title, line 7) by inserting the figures "14" after the abbreviation and punctuation "No.".

LEGISLATIVE BILL NO. 140. Placed on Select File with amendments.

E and R amendments to L. B. No. 140:

I. Amend the General File amendments, line 3 by striking the word "provided" therein and by inserting in lieu thereof the word and punctuation ": **Provided**" .

II. Amend the original bill, page 1, Section 1, line 5 (the printed bill, page 1, Section 1, line 3) by striking the word '**the**" after the preposition "of" and before the word "University" and inserting the word "**The**" in lieu thereof.

III. Amend the original bill, page 2, Section 1, lines 14 and 15 (the printed bill, page 1, Section 1, line 11) by striking the following: "for the purpose".

Correctly Engrossed

L. B. No. 100 L. B. No. 11

Presented to Governor for Approval

Friday, March 31, 1939 at 5:00 p. m.

L. B. No. 15
L. B. No. 18
L. B. No. 19
L. B. No. 28
L. B. No. 420
L. B. No. 214
L. B. 109

(Signed) Craven, Chairman.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 78. (With emergency clause).

A bill for an Act to amend Sec. 44-902, Comp. St. Supp., 1937, relating to insurance; to empower assessment companies to limit the liability of their members for future assessments; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Adams, E. A.
Adams, J. Jr.
Brady
Brodecky
Callan
Carlson
Carsten
Diers
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnston
Klaver
Mekota
Miller
Mischke
Mueller
Murphy
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 3:

Craven
Doyle
Neubauer

Not voting, 4:

Ashmore
Garber
Johnson
Lambert

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 3. Read and considered.

MOTION—To Rerefer to E and R

Mr. President: I move that L. B. No. 3 be rereferred to the Committee on Enrollment and Review without instructions. Signed Diers.

The motion prevailed.

GENERAL FILE

Special Order of Business

L. B. No. 125, L. B. No. 486 and L. B. No. 487 laid over until 9:30 a. m. Tuesday, April 4, 1939.

LEGISLATIVE BILL NO. 2. Read and considered.

Mr. Rossiter offered the following General File amendments to L. B. No. 2:

1. Strike all of the Standing Committee amendments to Legislative Bill No. 2.

2. Amend the printed bill, page 1 by striking all of Section 1 thereon and by inserting in lieu thereof the following:

"Section 1. That Secs. 75-222, 75-223, 75-224, 75-225, 75-226, 75-227, 75-228, 75-229, 75-230, 75-231, 75-233, 75-234, 75-235, 75-236, 75-237 and 75-238, Comp. St. Supp., 1937, relating to intrastate motor carriers, are hereby repealed.".

3. Amend the printed bill, page 1, title, by striking all of said title after the word "ACT" in line 2 and by inserting in lieu thereof the following:

"to repeal Secs. 75-222, 75-223, 75-224, 75-225, 75-226, 75-227, 75-228, 75-229, 75-230, 75-231, 75-233, 75-234, 75-235, 75-236, 75-237 and 75-238, Comp. St. Supp., 1937, relating to intrastate motor carriers.".

No action taken thereon.

Approved by Governor

April 1, 1939.

To the Members of the Legislature

Gentlemen:

I have been directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bill:

L. B. No. 214.

Respectfully submitted,

(Signed) Otho K. De Vilbiss,
Secretary to the Governor.

Approved by Governor

April 3rd, 1939.

To the Members of the Legislature

Gentlemen:

I have been directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bills:

L. B. No. 15	L. B. No. 28
L. B. No. 18	L. B. No. 109
L. B. No. 19	L. B. No. 420

Respectfully submitted,

(Signed) Otho K. De Vilbiss,
Secretary to the Governor.

Member Excused

Mr. Brady was excused at 10:30 a. m.

Visitor

Mr. E. T. Copenhaver, a member of the House of Representatives of Wyoming, was introduced and addressed the Legislature briefly.

Adjournment

At 12:00 m. on motion by Mr. Lambert the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SIXTY-FOURTH DAY

Legislative Chamber,
Lincoln, Nebraska, April 4, 1939.

The Legislature met at 9:05 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Sixty-third Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Hastings, one, opposing truck regulations; all members, one, suggesting that two members be elected to serve in each district and opposing L. B. No. 463.

Communications

Letters were read from Congressman Harry B. Coffee and Payne Ratner, Governor of Kansas, acknowledging receipt of a copy of Legislative Resolution No. 23, and a letter from Neil C. Vandemoer, Director of Assistance, enclosing 45 copies of a letter from Helen M. Dart, Regional Representative of the Social Security Board, dated March 21, 1939 and a copy of a telegram from Jane J. Hoey, dated March 11, 1939 addressed to Governor John Moses of North Dakota.

Invitation

A letter was read inviting the members to a buffalo dinner on April 12, 1939 at 6:30 p. m. as guests of the Nebraska Wildlife Federation and the Nebraska Isaak Walton League.

On motion by Mr. Reed the invitation was accepted.

Member Excused

Mr. Reavis was excused from attendance in the Legislature on April 5th, 6th, 7th and 8th in order to attend the meeting of the Council of State Governments in Chicago.

Program—Good Friday

Mr. Hastings suggested that the Chaplain arrange an appropriate program for Good Friday.

So ordered.

NOTICE OF COMMITTEE HEARINGS

Public Works

Legislative Resolution No. 14. Fort Hartsuff. Friday, April 7, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Appropriations

Legislative Resolution No. .... Considered and recommend that $1,800.00 be allowed the Nebraska Legislative Reference Bureau from the contingent fund of this Legislature arising out of Legislative Bill No. 8 as amended, for the purposes set forth in said Resolution. (Signed) Brady, Chairman.

Legislative Administration

March Expenditures

Fund E-2		$46,100.13
Members' Salaries, Third Installment	$8,600.00	
Total		8,600.00
Balance in Fund E-2		$37,500.13
Funds E-3, E-4, E-5		$17,811.30
Officers' & Employees' Salary, E-4	$7,438.50	
Postage, E-5	1,500.00	

Printing, Office and Janitor Supplies, E-5	611.68	
Equipment for office & Legislative Chamber E-5	201.97	
Telephone Installation, Rental & Tolls (Jany.) E-5	122.80	
Typewriter Rental - E-5	87.50	
(Members visiting State Institutions)		
Transportation E-5	77.60	
Lodging and Meals—E-5	30.35	
Total		$10,070.40
Balance in Funds E-3, E-4, E-5		7,740.90
Fund No. 8		$ 1,200.00
Clerk of Legislature Salary	$ 300.00	
Total		300.00
Balance in Fund No. 8		$ 900.00

Note: Change in Position of Employee

M. Alice Skiff, Stenographer $4.00

Reemployed

Henry N. Remington, Page & Messenger $3.25

(Signed) Carsten, Chairman.

By unanimous consent the Clerk dispensed with reading the report, because it appears in the Journal in detail.

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL NO. 56. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 56:

1. Amend the printed bill, pages 1, 2 and 3, by striking all of Sections 1, 2, 3 and 4 thereon and by inserting in lieu thereof the following:

"Section 1. That Sec. 53-337, Comp. St. Supp., 1937, be amended to read as follows:

53-337. No person shall sell at retail any alcoholic liquor on the day of any national, state, county or municipal election, including primary elections, during the hours the polls are open, within the political area in which such election is being held. No alcoholic liquors, except beer, shall be sold at retail on the first day of the week commonly called Sunday. The permissible hours for the sale of beer at retail on Sunday, if allowed, within the corporate limits of cities and villages, shall be governed by ordinance of the local governing body; and outside the corporate limits of cities and villages shall be determined by rule or order of the commission. No alcoholic liquors, ~~except~~ **including** beer, shall be sold at retail within **or without** the corporate limits of cities and villages on secular days not later than twelve o'clock midnight nor earlier than six o'clock A. M.: Provided, however, that the local governing body of any city or village may require closing prior to twelve o'clock midnight by ordinance.

Sec. 2. That Sec. 53-398, Comp. St. Supp., 1937, be amended to read as follows:

53-398. The city council or the city commission in cities or the board of trustees in villages, unless objected to by a sufficient petition signed by the qualified electors of any city or village of such number as shall equal fifty-one percent of the votes cast at the last general municipal election held thereon, or the county board of each of the governmental subdivisions of this state ~~may~~ **shall** recommend that the commission issue **or refuse to issue** licenses to persons, firms, corporations or associations on application duly made therefor for the sale of beer, as herein defined, within the respective governmental sub-divisions under their respective jurisdictions. The county board of a county shall have no jurisdiction over or power to recommend the issuance of licenses within the limits of any incorporated city or village. The city council, city commission, village board or county board, as the case may be, shall keep a full record of all applications for licenses, of all recommendations for and remonstrances against the granting of licenses and the action taken by them thereon.

Sec. 3. That said original Secs. 53-337 and 53-398, Comp. St. Supp., 1937, are hereby repealed.

Sec. 4. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law."

2. Amend the printed bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"to amend Secs. 53-337 and 53-398, Comp. St. Supp., 1937, relating to liquors; to provide uniform hours for opening and closing licensed premises for the sale of alcoholic liquors at retail throughout the state of Nebraska on secular days; to require local governing bodies of municipalities and counties to make recommendations that the commission issue or refuse to issue licenses for the sale of alcoholic liquors at retail to persons, firms, corporations or associations on applications duly made or referred to said local governing bodies; to repeal said original sections; and to declare an emergency.".

(Signed) Miller, Chairman.

Committee on Committees

Member, Board of Education of State Normal Schools

Mr. President: Your Committee wish to report favorably on reappointment of Mrs. Evelyn A. Ryan as a member of the Board of Education of State Normal Schools for the term ending January, 1945. (Signed) Murphy, Chairman.

The report was adopted.

MOTION—To Confirm Appointment

Mr. President: I move that the appointment of Mrs. Evelyn A. Ryan as a member of the Board of Education of State Normal Schools be confirmed. (Signed) Johnston.

Voting in the affirmative, 40:

Adams, E. A.
Ashmore
Brady
Brodecky
Callan
Carsten
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 3:

Adams, J. Jr.
Carlson
Craven

The motion prevailed and the appointment was confirmed.

MOTION—Not to Concur

Mr. Mekota renewed his motion of the Sixty-third Day not to concur in the recommendation of the Committee on Public Works that L. B. No. 123 as amended be indefinitely postponed.

The motion was discussed at length.

At 9:50 Mr. Gross arose to a point of order,—that certain bills had been set as Special Order of Business at 9:30 and that said special business should be considered.

The members from Omaha expressed their willingness to defer action on said bills until Mr. Mekota's motion be voted upon.

Mr. Mekota's motion was discussed further and at 10:00 a. m. Mr. Gross raised the same point of order in regard to the Special Order of Business set for that hour.

Mr. Mekota moved that action be deferred on the bills on Special Order until his matter was finished.

The motion prevailed with 26 ayes, 2 nays, 15 not voting.

Further discussion was had and Mr. Sorrell moved the previous question. The motion was lost with 8 ayes, 23 nays, 12 not voting.

After more discussion Mr. Dunn moved the previous question.

A call of the House was ordered.

The call was raised.

The motion prevailed with 26 ayes, 2 nays, 15 not voting.

Vote was taken and the Mekota motion was lost with 18 ayes, 19 nays, 6 not voting.

GENERAL FILE

Special Order of Business 11:25 a. m.

LEGISLATIVE BILL NO. 125.

Mr. Klaver moved to refer to E and R for review.

After discussion Mr. Thomas moved that L. B. No. 125 be indefinitely postponed.

President Johnson pointed out that one o'clock had arrived and that under the rules it would require action on the part of the Legislature to remain in session longer.

Mr. Tvrdik moved not to adjourn at one o'clock. The motion prevailed.

Mr. Miller moved that debate cease. The motion prevailed.

A call of the House was ordered.

The call was raised.

Record vote was requested.

Voting in the affirmative, 22:

Ashmore
Brady
Brodecky
Callan
Carsten
Doyle
Dunn
Gantz
Garber
Gutoski
Howard
Johnson
Mekota
Mischke
Murphy
Norman
Peterson
Reavis
Reed
Rossiter
Thomas
Tvrdik

Voting in the negative, 13:

Adams, E. A.
Adams, J. Jr.
Craven
Gross
Hastings
Herrick
Johnston
Klaver
Miller
Mueller
Neubauer
Sorrell
Westley

Not voting, 8:

Carlson
Diers
Hall
Lambert
Schultz
Thornton
Van Diest
Von Seggern

The motion prevailed.

Explanation of Vote

Mr. President: No other district in the state has earmarking; why impose it on my district? I vote no. (Signed) J. Adams, Jr.

Adjournment

At 1:37 p. m. on motion by Mr. Mischke the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SIXTY-FIFTH DAY

Legislative Chamber,
Lincoln, Nebraska, April 5, 1939.

The Legislature met at 9:00 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Reavis who was excused.

The Journal for the Sixty-fourth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Hastings, one, favoring L. B. No. 168 and L. B. No. 170 and opposing L. B. No. 277 and L. B. No. 185; Mr. Gross, one, regarding the crowded condition of State Hospitals for insane; all members, three, opposing L. B. No. 86.

Communications

Letters were read from M. H. McIntyre, Secretary to the President, W. B. Bankhead, Speaker of the House of Representatives, and Congressman, Carl T. Curtis, acknowledging receipt of a copy of Legislative Resolution No. 23 on Republican Valley Flood Control.

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL NO. 260. Placed on General File.

LEGISLATIVE BILL NO. 38. Indefinitely postponed.

LEGISLATIVE BILL NO. 120. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 120:

1. Amend the original bill, page 2, Section 1 (the printed bill, page 1, Section 1) by striking that part of said section commencing with the preposition "by" in line 9 of said section in the original bill (line 6 in said section of the printed bill) down to and including the word "privilege" in line 17 of said section in the original bill (line 12 in said section of the printed bill).

2. Amend the original bill, page 3, Section 1 (the printed bill, page 2, Section 1) by striking that part of said section commencing with the preposition "by" in line 29 of the original bill (line 21 of said section of the printed bill) down to and including the word and punctuation "privilege," in line 37 of the original bill (line 26 of the printed bill).

(Signed) Hall, Chairman.

Revenue

LEGISLATIVE BILL NO. 456. Indefinitely postponed.

LEGISLATIVE BILL NO. 498. Indefinitely postponed.

LEGISLATIVE BILL NO. 190. Indefinitely postponed.

(Signed) Ashmore, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 285. Placed on Select File.

LEGISLATIVE BILL NO. 78. Correctly enrolled.

(Signed) Craven, Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill No. 78.

MOTION—To Suspend Rules to Permit Introduction of Bill.

Mr. President: I move that the rules be suspended to permit the introduction of a bill to establish a court of claims in Nebraska. Adams, E. A.

The motion prevailed with 37 ayes, no nays, 6 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 509. By Committee on Claims and Deficiencies. Adams, E. A., of Douglas, Howard of McPherson, Rossiter of Thurston, Ashmore of Hayes, Hall of Adams.

A bill for an Act to amend Secs. 27-319 and 27-321, Comp. St. Supp., 1937; to amend Sections 27-322, 27-323, 27-324 and 27-331, Compiled Statutes of Nebraska, 1929, relating to courts; to provide that the district court of the county wherein is situated the seat of government of the state of Nebraska shall be the court of claims; to establish the jurisdiction, powers, rules of pleading and practice and rules of procedure for said court; to provide that the state of Nebraska shall be liable for damages for injuries to property or for personal injuries caused by misfeasance or negligence of the officers, servants or employees of said state while acting as such officer, servant or employee; to provide for a court calendar; to provide for the substitution of parties; to repeal said original sections; to repeal Sec. 27-333, Comp. St. Supp., 1937; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move that the rules be suspended to permit the reading of L. B. No. 509 the second time now. Adams, E. A.

The motion prevailed with 34 ayes, no nays, 9 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title see Bills on First Reading)

LEGISLATIVE BILL NO. 509. By Committee on Claims and Deficiencies, et al.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 493. (With emergency clause)

A bill for an Act specifically to reappropriate the sum of $187,167.49, more or less, constituting unexpended balances in the various state assistance services, as of February 1, 1939, all as specifically divided and itemized therein, and heretofore allocated according to law to the several counties of the state of Nebraska on the basis of population by the Board of Control of state institutions but unexpended, unused and not required by said counties, to the State Assistance Fund proper, identified as Auditor of Public Accounts, No. 352, for allocation and distribution to all of said counties from and after the effective date of this Act up to and including June 30, 1939 on the basis of need based upon findings of fact under standards and tests provided by law; to make said money reappropriated immediately available for the uses and purposes of this Act, subject to the terms and conditions thereof; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Callan
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 6:

Brodecky
Carlson
Carsten
Gross
Peterson
Reavis

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 288. (With emergency clause)

A bill for an Act to amend Sec. 68-284, Comp. St. Supp., 1937, relating to public welfare and social security; to provide for the levy and collection of a per capita tax of two dollars upon every male and female inhabitant of Nebraska between the ages of twenty-one and sixty-five years who is sane, who is not a public charge as a poor person or who is not domiciled in any eleemosynary institution, for the purposes of the State Assistance Fund; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 18:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Craven
Diers
Doyle
Gross
Hall
Johnston
Miller
Mischke
Murphy
Norman
Rossiter
Thomas
Westley

Voting in the negative, 22:

Callan
Carlson
Carsten
Dunn
Gantz
Garber
Gutoski
Hastings
Herrick
Howard
Johnson
Klaver
Lambert
Mekota
Mueller
Neubauer
Reed
Schultz
Sorrell
Thornton
Tvrdik
Von Seggern

Not voting, 3:

Peterson
Reavis
Van Diest

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause.

Vote on L. B. No. 288 With Emergency Clause Stricken:

Voting in the affirmative, 18:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Craven
Diers
Doyle
Gross
Hall
Johnston
Miller
Mischke
Murphy
Norman
Rossiter
Thomas
Westley

Voting in the negative, 21:

Callan
Carlson
Carsten
Dunn
Gantz
Garber
Gutoski
Herrick
Howard
Johnson
Klaver
Lambert
Mekota
Mueller
Neubauer
Reed
Schultz
Sorrell
Thornton
Tvrdik
Von Seggern

Not voting, 4:

Hastings
Peterson
Reavis
Van Diest

A constitutional majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause stricken.

Explanation of Vote on L. B. No. 288

We have killed the most just tax bill. Now we are about to enact a most unjust law. I do not believe it right for the just to die for the unjust, regardless of the evil one's heavenly dress. I vote, no. (Signed) Herrick.

LEGISLATIVE BILL NO. 100.

A bill for an Act to authorize and direct the purchase, completion of purchase or condemnation for the state highway system of intrastate toll bridges out of the state gasoline tax fund.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 34:

Adams, E. A.
Adams, J. Jr.
Brady
Brodecky
Callan
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Miller
Mueller
Neubauer
Norman
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern

Voting in the negative, 3:

Ashmore
Mekota
Mischke

Not voting, 6:

Carlson
Lambert
Murphy
Peterson
Reavis
Westley

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 11.

A bill for an Act to amend Sec. 30-1411, Comp. St. Supp., 1937, relating to decedents' estates; to provide the schedule of commissions and allowances of executors and administrators; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 31:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Gantz
Garber
Gutoski
Herrick
Howard
Johnson
Johnston
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Rossiter
Schultz
Sorrell
Thornton
Tvrdik
Van Diest

Voting in the negative, 8:

Doyle
Dunn
Gross
Hall
Hastings
Klaver
Thomas
Von Seggern

Not voting, 4:

Peterson
Reavis
Reed
Westley

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—To Recommit to Select File

Mr. President: I move that Legislative Bill No. 492, now on Third Reading File be recommitted to Select file for the following specific amendment. (Signed) Brady.

Specific amendment to L. B. No. 492:

1. Amend the printed bill, Final Form on Third Reading, page 2, Section 1, by striking all of lines 13, 14, 15, 16, 17 and 18 thereon and by inserting in lieu thereof the following:

"manufacturers or distributors at wholesale of alcoholic liquors shall be exempt from the payment of said gallonage tax imposed on said liquors, upon satisfactory proof, including bills of lading furnished to the commission by affidavit or otherwise as the commission may require, that such liquors were manufactured in this state but were shipped out of the state for sale and consumption outside the state of Nebraska;".

2. Amend the printed bill, Final Form on Third Reading, page 1, title, line 6 by inserting after the word and punctuation "liquors," the following: "if said liquors were manufactured by them in this state but were ".

The motion prevailed.

MOTION—To Recommit to Select File

Mr. President: I move that L. B. No. 489 be recommitted to Select File for the following specific amendment. (Signed) Brady.

Specific amendment to L. B. No. 489:

In the printed bill Final Form, page 1, line 12, strike "30, 1937" and insert in lieu thereof "30, 1941,"

The motion prevailed.

MOTION—To Recommit to Select File

Mr. President: I move that Legislative Bill No. 494 be recommitted to Select File for the following specific amendments. (Signed) Brady.

Specific amendment to L. B. No. 494:

1. Amend the printed bill, page 3, Section 3, line 11 by inserting after the figures **"1939"** therein the following:

": Provided, the Board of Control of state institutions shall reimburse and replenish, subsequent to August 1, 1939, as the Legislature by law shall hereafter direct, the Gasoline Highway Fund of the State of Nebraska for any moneys inuring to the State Assistance Fund between the effective date of this Act and August 1, 1939, arising out of any moneys credited to the State Assistance Fund in excess of ten per cent of said Gasoline Highway Fund".

2. Amend the printed bill, page 1, title, line 8 by inserting after the first punctuation ";" the following:

"to provide that the Board of Control of state institutions shall reimburse and replenish, subsequent to August 1, 1939, as the Legislature by law shall hereafter direct, the Gasoline Highway Fund of the state of Nebraska for any moneys inuring to the State Assistance Fund between the effective date of this Act and August 1, 1939, arising out of any moneys credited to the State Assistance Fund in excess of ten per cent of said Gasoline Highway Fund;".

No action taken thereon. Laid over one day.

SELECT FILE

Mr. Sorrell presiding.

LEGISLATIVE BILL NO. 351. E and R amendments as found in the Legislative Journal for the Sixty-third day were adopted.

LEGISLATIVE BILL NO. 338. E and R amendments as found in the Legislative Journal for the Sixty-third day were adopted.

Laid over.

LEGISLATIVE BILL NO. 264. E and R amendments as found in the Legislative Journal for the Sixty-third day were adopted.

LEGISLATIVE BILL NO. 140. E and R amendments as found in the Legislative Journal for the Sixty-third day were adopted.

The following Select File amendment was offered by Mr. Von Seggern and adopted:

Amend L. B. No. 140 by striking the word "such" in line 10 of the printed bill. Also strike the word "shall" in line 11 and place in lieu thereof the word "may".

Referred for Engrossment

L. B. No. 351	L. B. No. 264	L. B. No. 140

MOTION—To Place on Select File

Mr. President: I move that L. B. No. 3 be returned to Select File for amendment. (Signed) Carlson.

The motion prevailed

MOTION—For Unanimous Consent to Amend

Mr. President: I ask unanimous consent to amend L. B. No. 3 as follows:

In line 7, section 6, Legislative Bill No. 3, following the figures 1937, add the words "as amended".

(Signed) Carlson.

Consent granted and amendment adopted unanimously.

Laid over.

GENERAL FILE

Special Order of Business

President Johnson presiding.

LEGISLATIVE BILL NO. 487. John Adams, Jr. offered an amendment that the 15 mills levy be divided as follows:

11 mills for operation expense.

4 mills for debt retirement.

Mr. Thomas offered a substitute amendment that the 15 mills levy be divided as follows:

10½ mills for operation expense.

½ mill for building sites, buildings or alterations.

4 mills for debt retirement.

These amendments were mimeographed in lieu of printing in Journal.

The amendments offered by Mr. Thomas were adopted with 21 ayes, 7 nays, 15 not voting.

Referred to E and R for review.

LEGISLATIVE BILL NO. 486. Mr. Thomas moved that L. B. 486 be indefinitely postponed. The motion prevailed.

LEGISLATIVE BILL NO. 2. Considered. Laid over.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL NO. 100. Correctly Enrolled.
(Signed) Craven, Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill No. 100.

Member Excused

Mr. Brady was excused at 11:15 a. m.

Adjournment

At 12:00 m. on motion by Mr. Hall the Legislature adjourned.
Hugo F. Srb
Clerk of the Legislature.

SIXTY-SIXTH DAY

Legislative Chamber,
Lincoln, Nebraska, April 6, 1939.

The Legislature met at 9:00 a. m. Speaker Diers presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Reavis who was excused.

The Journal for the Sixty-fifth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Lambert, one, favoring L. B. No. 56 and opposing L. B. No. 385; Mr. Gross, one, opposing the sale of property for delinquent taxes.

Communications

Letters were read from Fred D. Beneke, Secretary of the National Rivers and Harbors Congress, F. O. Hagie, Secretary of the National Reclamation Association, and M. Kerlin, Assistant to the Secretary of Commerce, all acknowledging receipt of a copy of Legislative Resolution No. 23 in regard to Republican Valley Flood control.

At the request of Mr. Neubauer, the first two letters are printed in the Journal, as follows:

April 4, 1939

Project No. 231-R - Mo. River Div.
Republican River
Colorado, Nebraska and Kansas
Flood Control Project.

Mr. Hugo F. Srb, Clerk,
Legislature of Nebraska
Lincoln, Nebraska.

Dear Mr. Srb:

This will acknowledge your letter of the 29th ult., enclosing copy of a resolution adopted by the Legislature of the State of Nebraska on March 28th, 1939, relative to the Republican Valley Flood Control Project.

We are very glad indeed to have the benefit of the views and recommendations of your legislature, and I am happy to be able to advise you that on March 24th our 34th Annual Convention approved the recommedation of our Projects Committee that this project be placed in Class 2 - Meritorious.

It will be appreciated if you will convey this information to all interested parties in your Legislature.

We are, of course, anxious to be of assistance in furthering the project in every way possible.

Very truly yours,

(Signed)
Fred D. Beneke
Secretary,
National Rivers and Harbors Congress.

Washington, D. C.

April 4, 1939.

Mr. Hugo F. Srb
Office of the Clerk
Legislature of Nebraska
Lincoln, Nebraska

My dear Mr. Srb:

This will acknowledge with thanks your letter of March 30 with which you enclose a resolution adopted by the Legislature of Nebraska regarding the Republican Valley flood control and reclamation possibilities.

The National Reclamation Association will be glad to work with such Nebraska agencies as are interested in an effort to secure the development along the Republican River which the leaders in your state desire.

So far as I have been able to learn, Nebraska has shown very little interest in development work of this kind. While Nebraska is a member of the National Reclamation Association and is represented on our Board of Directors by A. N. Mathers of Gering, most of the other states of the west have shown much keener interest in the work which this association is organized to do than has the state of Nebraska.

If the people of the Republican Valley really want to get something accomplished in line with the legislative resolution No. 23, I would suggest that the leaders of that area affiliate with the National Reclamation Association and get their problem over to us so that we can do everything within our power to help bring about the results which they desire. To that end May I suggest that the 8th annual meeting of the National Reclamation Association will convene in Denver, Colorado on October 17, 18 and 19 of this year. In my judgment this would be the opportune time for the people of the Republican Valley to come into meeting at Denver with a real show of interest and a definite program upon which they want the assistance of the other fourteen western states. The National Reclamation Association will welcome the interest of such an area in the state of Nebraska and, I am sure, through the medium of the National Reclamation Association, a great deal can be accomplished.

I hope you will convey this information to the leaders in the Republican Valley—in fact, the writer would be glad to meet with some of these leaders sometime this summer if they so desire.

Respectfully yours,

(Signed)

F. O. Hagie
Secretary-Manager
National Reclamation Association

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

L. B. No. 510, Tuesday, April 11, 1939, 2:00 p. m.

L. B. No. 511, Tuesday, April 11, 1939, 2:00 p. m.

L. B. No. 512, Tuesday, April 11, 1939, 2:00 p. m.

L. B. No. 513, Tuesday, April 11, 1939, 2:00 p. m.

L. B. No. 514, Tuesday, April 11, 1939, 2:00 p. m.

Judiciary

L. B. No. 509, Monday, April 10, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL NO. 306. Indefinitely postponed.

LEGISLATIVE BILL NO. 348. Indefinitely postponed.

LEGISLATIVE BILL NO. 197. Indefinitely postponed.

LEGISLATIVE BILL NO. 275. Placed on General File.

LEGISLATIVE BILL NO. 256. Placed on General File.

LEGISLATIVE BILL NO. 169. Indefinitely postponed.

LEGISLATIVE BILL NO. 255. Indefinitely postponed.

LEGISLATIVE BILL NO. 224. Placed on General File.

LEGISLATIVE BILL NO. 356. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 356:

1. Amend the original bill, page 1, Section 1 (the printed bill, page 1, Section 1) by striking lines 1 and 2 of said section in the original bill (lines 1 and 2 of said section of the printed bill) and by inserting in lieu thereof the following:

"Section 1. That Sec. 75-232, Comp. St. Supp., 1937, be amended to read as follows:".

2. Amend the original bill, page 1, Section 1, line 3 (the printed bill, page 1, Section 1, line 3) by inserting the section symbol and punctuation "75-232." immediately preceding the word "No" therein.

3. Amend the original bill, page 1, Section 1, line 36 (the printed bill, page 2, Section 1, line 31) by striking the punctuation "." therein and by inserting in lieu thereof the punctuation ";".

4. Amend the original bill, page 1, Section 1 (the printed bill, page 2, Section 1) by striking that part of said section commencing

with the word "**upon**" in line 40 of the original bill (line 35 of the printed bill) down to and including the word "**others**" in line 45 of the original bill (line 39 of the printed bill).

5. Amend the original bill, page 2 (the printed bill, page 2) by striking all of Section 2 thereon and by inserting in lieu thereof the following:

"Sec. 2. That said original Sec. 75-232, Comp. St. Supp., 1937, is hereby repealed.".

6. Amend the original bill, page 1, title, line 2 (the printed bill, page 1, title, line 2) by striking all of said title after the word "ACT" and by inserting in lieu thereof the following:

"to amend Sec. 75-232, Comp. St. Supp. 1937, relating to the transportation of passengers and property by motor carriers in intrastate commerce upon the public highways of the state of Nebraska; to provide for the issuance of a certificate or permit to an applicant therefor when it is shown to the satisfaction of the State Railway Commission that said applicant motor carrier has been denied the requisite surety bonds or policies of insurance because of race, creed or color; and to repeal said original section.".

LEGISLATIVE BILL NO. 148. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 148:

1. Amend the original bill, page 1, Section 1, line 2 (the printed bill, page 1, Section 1, line 2) by striking therefrom the words "this State" and by inserting in lieu thereof the words "the state of Nebraska".

2. Amend the original bill, page 1, Section 1, lines 3, 5, 8 and 11 (the printed bill page 1, Section 1, lines 3, 4, 8 and 10); the original bill pages 1 and 2, Section 2, line 7 (the printed bill, page 2, line 6); the original bill, page 2, Section 3, lines 7 and 10 (the printed bill, page 2, Section 3, lines 6 and 9); the original bill, page 2, Section 4, lines 2 and 4 (the printed bill, page 2, Section 4, lines 2 and 4) by striking the word "State" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word "state".

3. Amend the original bill, page 1, Section 1, line 5 (the printed bill, page 1, Section 1, line 5) by inserting after the word "fee" therein the following:

"to be paid in quarterly payments,".

4. Amend the original bill, pages 1 and 2, Sections 2, 3 and 4, by striking the word "Section" in line 1 of each of said sections thereof and by inserting in lieu thereof the abbreviation and punctuation "Sec." in each of said lines, respectively.

5. Amend the original bill, page 1, Section 2, line 1 (the printed bill, page 1, Section 2, line 1) by striking the word "Such" therein and by inserting in lieu thereof the following:
"One-fourth of the"

6. Amend the original bill, page 1, Section 2, line 3 (the printed bill, page 1, Section 2, line 3) by inserting after the conjunction "and" and before the definite article "the" the following:

"the remainder of such equalization fee shall be paid to the county treasurer in equal quarterly installments on the first day of the first month of each quartely period thereafter; and".

7. Amend the original bill, page 2, Section 3, line 3 (the printed bill, page 2, Section 3, line 3) by striking the words "State Treasurer" and by inserting in lieu thereof the words "state treasurer".

8. Amend the original bill, page 2, Section 4, line 5 (the printed bill, page 2, Section 4, line 5) by inserting after the word "be" and before the word "guilty" therein the word "deemed"; and also after the word "misdemeanor" in line 6 of said section of the original bill (line 5 of the said section of the printed bill) insert the punctuation ",".

9. Amend the original bill, page 2, Section 4, lines 7, 9, 10 and 11 (the printed bill, page 2, Section 4, lines 7, 8, 9 and 10) by striking "($50.00)", "($500.00)" or "(60)" wherever the same appear in each of said lines, respectively; and on page 2 of the original bill (page 2 of the printed bill) immediately after Section 3 thereon insert a new section to be known and numbered as follows:

"Sec. 4. The Department of Roads and Irrigation is hereby authorized and directed to design and provide a license plate to identify such motor vehicles, which license plate shall be issued at the time the equalization fee, provided for herein, is paid and shall be displayed upon such vehicle in the manner provided for in Sec. 60-322, Comp. St. Supp., 1937, as now existing or as hereafter amended.";
and renumber the rest of said sections to correspond with the within amendment.

10. Amend the original bill, page 1, (the printed bill, page 1) caption "Introduced by" by inserting after the word "Douglas" in said caption the following:

"and R. M. Howard of McPherson".

11. Amend the original bill, page 1, title, line 2 (the printed bill, page 1, title, line 2) by striking all of said title after the word "ACT" and by inserting in lieu thereof the following:

"relating to motor vehicles; to impose equalization fees upon said motor vehicles, as defined by the laws of this state operating on the public highways therein, propelled by any motor burning fuel not subject to the motor vehicle tax laws of this state; to fix and determine the amount of such equalization fees for the various types of motor vehicles; to provide for the amount, method of payment, collection and distribution of said fees; to direct the Department of Roads and Irrigation to design a license plate to identify said vehicles; and to provide penalties for the violation therefor."

(Signed) Howard, Chairman.

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL NO. 433. Placed on General File.

LEGISLATIVE RESOLUTION NO. 22. Placed on General File.

(Signed) Miller, Chairman.

Judiciary

LEGISLATIVE BILL NO. 299. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 299:

1. Amend the original bill, page 2, Section 1, line 13 (the printed bill, page 1, Section 1, line 10) by striking the word "article" and by inserting in lieu thereof the word "Act".

2. Amend the original bill, page 2, Section 3, line 15 (the printed bill, page 2, Section 3, line 12) by striking therefrom "(10)".

3. Amend the original bill, page 3, Section 4, line 4 (the printed bill, page 2, Section 4, line 3) by striking therefrom "(6)".

4. Amend the original bill, page 3, Section 4, line 16 (the printed bill, page 2, Section 4, lines 12 and 13) by striking therefrom the punctuation and words: "; provided, however," therein and by inserting in lieu thereof the following:

": Provided,".

5. Amend the printed bill, page 3, Section 6, line 2, by inserting the word "take" after the conjunction "and" and before the word "effect" therein.

6. Amend the printed bill, page 1, title, line 6 by striking the word "invalidate" and by inserting in lieu thereof the word "validate".

7. Amend the original bill, page 1, title, lines 3 and 5 (the printed bill, page 1, title, lines 3 and 4) by striking the punctuation "," wherever the same appears after the words "gas" and "minors" therein.

8. Amend the original bill, page 1, title, line 11 (the printed bill, page 1, title, line 8) by striking therefrom the word "herewith" and by inserting in lieu thereof the word "therewith".

LEGISLATIVE BILL NO. 300. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 300:

1. Amend the original bill, pages 2 and 3, Section 1, lines 4, 20, 47 and 66 (the printed bill, pages 1, 2 and 3, Section 1, lines 4, 14, 33 and 49) by striking the word "State" in each of said lines respectively and by inserting in lieu thereof the word "**state**".

2. Amend the original bill, page 2, Section 1, line 30 (the printed bill, page 2, Section 1, line 21) by striking therefrom "**(10)**".

3. Amend the original bill, page 1, title, line 21 (the printed bill, page 1, title, line 14) by striking the word "Section" therein and by inserting in lieu thereof the word "section".

LEGISLATIVE BILL NO. 301. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 301:

1. Amend the original bill, page 1 (the printed bill, page 1) by striking all of Section 1 thereon and by inserting in lieu thereof the following:

"Section 1. That Section 57-207, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

57-207. Hereafter any person, firm, association, joint stock company or corporation holding or possessing right, title, lien, interest or permission under a lease or contract to develop oil, gas or other mineral resources within the State **state** of Nebraska, shall within five **ten** years after such lease has been granted, or contract made and executed, drill at least one well or shaft upon the land described in any separate lease, and a failure so to do shall give the lessor, or the heirs or assigns of said lessor the right to rescind or revoke said contract and to take full possession of said tract or parcel of ground free from any claim existing by virtue of such lease or contract.

Sec. 2. That said original Section 57-207, Compiled Statutes of Nebraska, 1929, is hereby repealed.".

2. Amend the original bill, page 1 (the printed bill, page 1) by renumbering Section 2 to conform with the foregoing amendment.

3. Amend the original bill, page 1, title, line 2 (the printed bill, page 1, title, line 2) by striking all of said title after the word "ACT" therein and by inserting in lieu thereof the following:

"to amend Section 57-207, Compiled Statutes of Nebraska, 1929, relating to minerals, oil and gas; to provide for the revocation of leases for the development of oil, gas and other mineral resources of the state of Nebraska upon failure of the lessee to drill at least one well or shaft upon the land described in any separate lease within a period of ten years after such lease shall have been granted; to repeal said original section; and to declare an emergency." .

LEGISLATIVE BILL NO. 369. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 369:

1. Amend the original bill, page 1, Section 1 (the printed bill, page 1, Section 1) by striking all of lines 1, 2 and 3 of said section in the original bill (lines 1 and 2 of said section in the printed bill) and by inserting in lieu thereof the following:

"Section 1. That Section 69-111, Compiled Statutes of Nebraska, 1929, be amended to read as follows:" .

2. Amend the original bill, page 1, Section 1, line 11 (the printed bill, page 1, Section 1, line 9) by striking the word "**deliver**" therein and by inserting in lieu thereof the word "**exhibit for inspection**".

3. Amend the original bill, page 1 (the printed bill, page 1) by striking all of Section 2 thereon and by inserting in lieu thereof the following:

"Sec. 2. That said original Section 69-111, Compiled Statutes of Nebraska, 1929, is hereby repealed." .

4. Amend the original bill, page 1, title, line 2 (the printed bill, page 1, title, line 2) by striking all of said title after the word "ACT" therein and by inserting in lieu thereof the following:

"to amend Section 69-111, Compiled Statutes of Nebraska, 1929, relating to chattel mortgages; to provide penalty for failure of mortgagor to exhibit for inspection the mortgaged property on demand of the mortgagee or his agent at reasonable hours; and to repeal said original section." .

LEGISLATIVE BILL NO. 83.	Indefinitely postponed.
LEGISLATIVE BILL NO. 84.	Indefinitely postponed.
LEGISLATIVE BILL NO. 91.	Indefinitely postponed.
LEGISLATIVE BILL NO. 153.	Indefinitely postponed.
LEGISLATIVE BILL NO. 246.	Indefinitely postponed.
LEGISLATIVE BILL NO. 248.	Indefinitely postponed.
LEGISLATIVE BILL NO. 267.	Indefinitely postponed.
LEGISLATIVE BILL NO. 342.	Indefinitely postponed.
LEGISLATIVE BILL NO. 379.	Indefinitely postponed.
LEGISLATIVE BILL NO. 385.	Indefinitely postponed.
LEGISLATIVE BILL NO. 404.	Indefinitely postponed.
LEGISLATIVE BILL NO. 480.	Indefinitely postponed.

(Signed) Thomas, Chairman.

Enrollment and Review

Presented to Governor for Approval

L. B. No. 100, Wednesday, April 5, 1939 at 11:50 a. m.

L. B. No. 78, Wednesday, April 5, 1939 at 3:30 p. m.

(Signed) Craven, Chairman.

MOTION—To Suspend Rules and Introduce Bills

Mr. President: I move that the rules be supended to permit the introduction of 5 bills; 4 on securities and 1 on insurance. Miller.

The motion prevailed with 35 ayes, no nays, 8 not voting.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 510. By Legislative Insurance Investigation Committee.

A bill for an Act to amend Section 44-410, Compiled Statutes of Nebraska, 1929, relating to insurance; to provide that no domestic mutual insurance company shall begin to transact insurance business until: (1) It shall issue simultaneously policies upon two hundred or more risks each within the maximum single risk provided for by Sec. 44-411, Comp. St. Supp., 1937; (2) It shall hold a fund in cash or invested as provided by law of at least thirty thousand dollars, or equal to ten times the maximum single risk to be assumed, whichever is greater, for each class of insurance specified under Sec. 44-401, Comp. St. Supp., 1937, which such mutual company is licensed to write; to provide that said fund shall be used for the payment of losses only, and cannot be repaid except as provided in Section 44-407, Compiled Statutes of Nebraska, 1929; (3) It shall have received in cash one annual premium upon each risk outstanding; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 511. By Legislative Insurance Investigation Committee.

A bill for an Act to amend Sec. 81-5440, Comp. St. Supp., 1937, relating to the Blue Sky Law; to prescribe the type of securities exempt from the operations of said law; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 512. By Legislative Insurance Investigation Committee.

A bill for an Act to amend Sec. 81-5439, Comp. St. Supp., 1937, relating to the Blue Sky Law; to provide rules and regulations governing and controlling the operations and conduct of salesmen, under the Bureau of Securities, selling, soliciting the sale or exchanging securities; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL NO. 513. By Legislative Insurance Investigation Committee.

A bill for an Act relating to securities; to provide rules and regulations governing and controlling the operations and conduct of brokers under the Bureau of Securities, selling, offering for sale or exchanging said securities under the Blue Sky Law; to repeal Sec. 81-5438, Comp. St. Supp., 1937; to provide penalties for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 514. By Legislative Insurance Investigation Committee.

A bill for an Act to amend Sec. 81-5441, Comp. St. Supp., 1937, relating to the **Blue Sky Law**; to provide that the burden of proof in any hearing, investigation or proceeding thereunder shall be upon the person claiming such exemption or the benefit thereto; to repeal said original section; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move that the rules be suspended and that L. B Nos. 510, 511, 512, 513 and 514 be read the second time now. Tvrdik.

The motion prevailed with 33 ayes, no nays, 10 not voting.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B. No.	Introducer	Committee Reference
510	Legislative Insurance Investigation Committee	Banking, Commerce & Insurance
511	Legislative Insurance Investigation Committee	Banking, Commerce & Insurance
512	Legislative Insurance Investigation Committee	Banking, Commerce & Insurance
513	Legislative Insurance Investigation Committee	Banking, Commerce & Insurance
514	Legislative Insurance Investigation Committee	Banking, Commerce & Insurance

Committee Reference

LEGISLATIVE BILL NO. 509. Referred to Committee on Judiciary.

MOTION—Sifting Committee

Mr. Ashmore withdrew his motion to amend the Diers-Schultz motion, which amendment was offered on the Sixty-second Day.

Substitute Motion

Mr. President: I move that a sifting committee of six members be selected. That the oldest member in point of service be the chairman, and that the other five members be chosen by congressional district caucuses. (Signed) Herrick.

The motion was lost with 10 ayes, 26 nays, 7 not voting.

Substitute Motion

Mr. President: I move that the Lieutenant Governor, the Speaker and the chairman of Committee on Committees appoint a sifting committee consisting of five members, one from each congressional district; to begin operating immediately. (Signed) Gutoski, Thornton, Schultz.

The motion was lost with 6 ayes, 30 nays, 7 not voting.

Substitute Motion

Mr. President: I move that each congressional district elect one member on the sifting committee and they in turn elect their own chairman. (Signed) Sorrell.

MOTION—To Amend Sorrell Motion

Mr. President: As an amendment to the Sorrell motion I move that the five members elect a chairman from the Legislature at large. (Signed) Doyle.

The Doyle amendment was lost with 9 ayes, 26 nays, 8 not voting.

The Sorrell substitute motion lost with 10 ayes, 26 nays, 7 not voting.

MOTION—To Amend Diers Motion (Sixty-first Day)

Mr. President: I move that Mr. Diers' motion be amended to set the date as April 10, 1939 instead of April 3, 1939. (Signed) Gantz.

The motion prevailed with 24 ayes, 3 nays, 16 not voting.

MOTION—To Amend

Mr. President: I move that the motion to appont a Sifting Committee (Legislative Journal Sixty-first Day) be amended to read as follows:

I move that the Standing Committees, with the exception of Rules, Enrollment and Review, and Legislative Administration Committee, select one of their members to act on a Sifting Committee, said Sifting Committee to consider all bills on General File as to their importance concerning the welfare of our State; to arrange all bills on General File in their order of importance, giving particular preference to those bills carrying appropriations and bills pertaining to social security; to elect their own chairman and to start operating on April 10. (Signed) Rossiter.

After discussion Mr. Carsten moved the previous question.

The motion prevailed.

The Chair announced that under Section 3 of Rule XII a majority vote of the elected members was necessary and the motion was lost with 19 ayes, 18 nays, 6 not voting.

Mr. Gross appealed from the decision of the Chair.

The decision of the Chair was sustained with 20 ayes, 13 nays, 10 not voting.

Mr. Herrick moved to reconsider action on the Rossiter amendment.

A call of the House was ordered.

The call was raised.

Vote was taken and the motion to reconsider prevailed with 22 ayes, 17 nays, 4 not voting.

After reconsideration, a second vote was taken thereon and the motion was lost with 21 ayes, 16 nays, 6 not voting.

Vote was taken on the original Diers-Schultz motion, which was lost with 17 ayes, 18 nays, 8 not voting.

Member Excused

Mr. Brady was excused for the remainder of the morning.

UNFINISHED BUSINESS

General File

Mr. Thomas presiding.

LEGISLATIVE BILL NO. 2.

Mr. Hall moved that L. B. No. 2 be returned to the Banking, Commerce and Insurance Committee for further consideration, with the distinct understanding that it be returned to the Legislature as Special Order of Business at 10:00 a. m. April 7, 1939.

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL NO. 3. Referred to E and R for reengrossment.

LEGISLATIVE BILL NO. 338. Passed over.

LEGISLATIVE BILL NO. 285. Mr. Craven moved to refer to E and R for engrossment.

Mr. Gross moved to indefinitely postpone.

The Chair announced the motion carried.

Mr. Von Seggern appealed from the decision of the Chair.

Vote was taken thereon and the decision of the Chair was sustained with 19 ayes, 8 nays, 16 not voting.

LEGISLATIVE BILL NO. 492. Passed over.

LEGISLATIVE BILL NO. 489. Passed over.

Member Excused

Mr. Van Diest was excused for the remainder of the day and for Friday.

GENERAL FILE

LEGISLATIVE BILL NO. 447. Referred to E and R for review.

Mr. Dunn moved to reconsider action on L. B. 447 and place the same on General File.

The motion prevailed with 33 ayes, no nays, 10 not voting.

Standing Committee amendments as mentioned in the Legislative Journal for the Fiftieth Day were adopted.

General File amendments offered by Mr. Tvrdik on the Sixty-first Day were adopted.

Referred to E and R for review.

MOTION—To Suspend Rules for Public Hearing

Mr. President: I move the rules be suspended and that public hearing on L. B. No. 509 be had at 2:00 o'clock p. m. Monday, April 10, 1939, before the Committee on Judiciary. (Signed) Gantz.

The motion prevailed with 34 ayes, no nays, 9 not voting.

Approved by Governor

April 5th, 1939.

To the Members of the Legislature

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bill:

L. B. No. 100.

Respectfully submitted,
(Signed) Otho K. De Vilbiss

Secretary to the Governor.

Adjournment

At 12:30 p. m. on motion by Mr. Carsten the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SIXTY-SEVENTH DAY

Legislative Chamber,
Lincoln, Nebraska, April 7, 1939.

The Legislature met at 9:00 a. m. Speaker Diers presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present, except Mr. Reavis and Mr. Van Diest who were excused.

The Journal for the Sixty-sixth Day was approved as corrected.

GOOD FRIDAY PROGRAM

Quartette	W. A. Rosene, O. H. Bimson J. E. Bartley, Oscar Roeser
Accompanist	Betty Sumner
Solo	Mrs. D. J. Stavland
Accompanist	Mrs. Clifford Swanson
Brief Address	Reverend L. L. Chambers
Prayer	Fred L. Carsten

Speaker Diers expressed appreciation in behalf of the Legislature to those who rendered the program.

PETITIONS AND MEMORIALS

Mr. Sorrell introduced a petition favoring L. B. No. 1.

Communications

A letter was read from Congressman Carl T. Curtis acknowledging receipt of a copy of Legislative Resolution No. 26 regarding Tariff on Brushes.

A letter was read from Donald E. Devries, Deputy Secretary of State, enclosing a song composed by C. G. Parks of Hastings.

NOTICE OF COMMITTEE HEARINGS

Revenue

L. B. No. 508, Tuesday, April 11, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL NO. 193. Placed on General File.

LEGISLATIVE BILL NO. 428. Placed on General File.
(Signed) Thomas, Chairman.

Banking, Commerce and Insurance

LEGISLATIVE BILL NO. 426. Placed on General File.
(Signed) Hall, Chairman.

Labor and Public Welfare

LEGISLATIVE BILL NO. 279. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 279:

1. Amend the printed bill, page 1, Section 1, by striking that part of said section commencing with the word "**such**" in line 4, down to and including the word "**interest**" in line 8 therein and by inserting in lieu thereof the following:

"**the itemized charges for such services to be** subject to the approval of the Compensation Court, **in all cases where a petition for compensation benefits, or determination of liability has been filed, or in all cases in which no petition has been filed and the amount of the claim for such services has been questioned by any party in interest, but**".

2. Amend the printed bill, page 2, Section 1, line 25, by inserting after the word and punctuation "**liability.**" therein the following:

"The expense of such medical attention and hospitalization shall be paid by the employer or by the insurance carrier requesting such medical attention or hospitalization."

3. Amend the printed bill, page 2, Section 2, line 5, by striking the word **"ten"** therein and by inserting in lieu thereof the word **"fifteen."**

4. Amend the printed bill, page 4 by striking Sections 4 and 5 thereon and by inserting in lieu thereof the following:

"Sec. 4. That Sec. 48-140, Comp. St. Supp., 1937, be amended to read as follows:

48-140. The amounts of compensation payable periodically under the law, by agreement of the parties with the approval of the Compensation Court, may be commuted to one or more lump sum payments, except compensation due for death and permanent **total** disability, which may be commuted only upon the order or decision of the Compensation Court ~~or~~ **and** the district court: Provided, that where commutation is agreed upon, or ordered by the court, the lump sum to be paid shall be fixed at an amount which will equal the total sum of the probable future payments, capitalized at their present value upon the basis of interest calculated at five per centum per annum with annual rests. Upon paying such amount, the employer shall be discharged from all further liability on account of the injury or death, and be entitled to a duly executed release, upon filing which, or other due proof of payment, the liability of such employer under any agreement, award, findings, or decree shall be discharged of record. Whenever an injured employee or his dependents and the employer agree that the amounts of compensation due as periodic payments for death, permanent **total** disability, or claimed permanent **total** disability, under this article, shall be commuted to one or more lump sum payments, such settlement or agreement therefor, shall be submitted to the **Compensation Court and the** district court, in the following manner: An application for the approval of such settlement, signed **and verified** by both parties, shall be filed with the clerk of the ~~district court~~ **Compensation Court,** and shall be entitled the same as an action by such employee or dependents against such employer and shall contain a concise statement of the terms of the settlement sought to be approved, together with a brief statement of the facts concerning the injury, the nature thereof, the wages received by the injured employee prior thereto, and the nature of the employment **and the attorney fees, the amount of the medical and hospital services and medicines and other disbursements.** The **presiding** judge of the ~~district court~~ **Compensation Court,** immediately, or within one week after the filing of said application, unless there be good cause for continuance, m~~a~~y **make such investigation as is proper, and after due investigation finds the settle-**

ment is in conformity with the law and for the best interests of the employee or his dependents under all the circumstances, the judge shall make an order of approval or disapproval, as the case may be, of the settlement agreement. The same application shall be filed with the district court having jurisdiction. The judge of the district court at chambers or in open court and in or out of term time, shall hold a hearing on said application, and proof may be adduced, witnesses subpoenaed and examined the same as in an action in equity. If, after such injury, the court finds said settlement is made in conformity with the compensation schedule, and for the best interests of said employee or his dependents under all the circumstances, he shall make an order approving the same. If such agreement or settlement be not approved the court may dismiss said application at the cost of the employer or continue the hearing, in the discretion of the court. The fees of the clerk of the district court for filing, docketing, and indexing such application shall be one dollar. Every such lump sum settlement shall be final and conclusive unless procured by fraud. **Any clerk, of any court rendering a decision affecting an order or award made and entered by the Compensation Court, shall furnish forthwith a copy of such decision without cost to the Compensation Court.**

Sec. 5. That Section 48-108, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

48-108. No claim or agreement for legal services or disbursements in support of any demand made, or suit brought, under the provisions of this article, shall be an enforceable lien against the amounts to be paid as damages or compensation, or be valid or binding in any other respect, unless the same be approved in writing by ~~the judge presiding at the trial~~ **the Compensation Court**, or, in case of ~~settlement without trial, by the judge of the districts in which such issue arose~~ **an appeal to the district court or an appeal to the supreme court as herein provided, the district court or supreme court, shall approve in writing such claim or agreement for legal services, or disbursements, or in lieu thereof fix the reasonable value of such services or disbursements.** After such approval, if ~~notice in writing be given~~ **and when the certified copy of such approval be furnished** the defendant, **or defendants, of the approval** of such claim or agreement for legal services and disbursements, **or the allowance, or the amount of the allowance for same,** the same shall be a lien against any amount thereafter to be paid as damages or compensation: **Provided, however,** where the employe's compensation is payable by the employer, **or the insurance carrier of the employer** in periodical installments, the court shall fix, at the time of the approval **or allowance,** the proportion of each installment to be paid on account of **approved or allowed** legal services and disbursements; **and provided further, that all agreements to pay compensation and all lump sum**

settlement agreements for compensation shall specify the amount to be paid on account of legal services and hospital and medical disbursements, if any, subject to the approval of the Compensation Court or an appellate court.

Sec. 6. That said original Secs. 48-120, 48-145, 48-147 and 48-140, Comp. St. Supp., 1937, are hereby repealed; and that said original Section 48-108, Compiled Statutes of Nebraska, 1929, is hereby repealed.

Sec. 7. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law."

(Signed) Dunn, Chairman.

Enrollment and Review

Correctly Enrolled

L. B. No. 493	L. B. No. 11

(Signed) Craven, Chairman.

SELECT COMMITTEE REPORT

Revenue Investigation

Estimates of Revenue Available for State Assistance During the Biennium of 1939-1941

We have figured the head tax on the assumption that it will be collected on the same basis as the biennium of 37-39.

The liquor tax is arrived at by computing the full two year period from March 1, 1937 to February 28, 1939. Also, we have computed the entire 33 months, so that we feel we have arrived at a very accurate estimate of the liquor tax.

The gasoline tax is estimated on the basis of the full two year period of 37-39.

The estate tax is based upon an eight year average. The eight year average is $61,000.00 per year, with marked variations in it from year to year; so your committee have set this figure at $60,000.00 per year.

The following table is the conclusion of your committee's recommendation:

Head tax	$1,200,000.00
Liquor tax	2,800,000.00
Gasoline tax (1c)	4,420,000.00
Estate tax	120,000.00
Total	8,540,000.00

(Signed) Frank J. Brady, Chr.
W. H. Diers John S. Callan
L. B. Murphy Hugh Ashmore
Charles F. Tvrdik

MOTION—To Adopt Report

Mr. President: I move that the report be adopted and placed in the Journal. Brady.

The motion prevailed.

RESOLUTIONS

Mr. Schultz presiding.

MOTION—To Adopt L. R. No. 22

Mr. President: I move that Legislative Resolution No. 22, recognizing the living Christmas tree be adopted. (Signed) Mekota.

The motion prevailed and the resolution was adopted.

Speaker Diers presiding.

MOTION—To Amend L. R. No. 7

Mr. President: I offer the following amendment to Amended Legislative Resolution No. 7, as adopted on the Thirty-seventh Day, and move its adoption. (Signed) Miller.

Amendment to L. R. No. 7:

1. Amend the Amended Legislative Resolution, Thirty-seventh Day, Section 1, line 36, by striking the word "seventieth" and by inserting in lieu thereof the word **"eightieth"**.

The motion prevailed unanimously.

LEGISLATIVE RESOLUTION NO. 27. Introduced by W. H. Diers of York, Emil E. Brodecky of Colfax.

In Appreciation of the Hospitality and Entertainment Furnished to Members of This Legislature and State Officials at Talmage, Nebraska

Preamble

WHEREAS, the members of the Fifty-third Session, Nebraska State Legislature, 1939, were entertained at a banquet in Talmage, Nebraska, on the 30th day of March, 1939, given by the Taxpayers League, Farmers Union and Talmage Chamber of Commerce, and

WHEREAS, the members of this body desire to express their most sincere appreciation for the entertainment and hospitality extended, NOW, THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That the members of this Legislature extend a vote of thanks to the Taxpayers League, Farmers Union, Talmage Chamber of Commerce, the ladies of the Misegadis and John Frerich families, Mr. Al Misegadis, the high school students of Talmage, Nebraska, Senator Frank Sorrell and all other persons who helped with such banquet, for their kindness and hospitality at such banquet.

2. That a copy of this resolution be spread at large upon the Journal of this Legislature; and that the Clerk of this Legislature be directed to forward copies of this resolution, properly authenticated and suitably engrossed, one each to the Taxpayers League, Farmers Union, Talmage Chamber of Commerce, Al Misegadis family, John Frerich family, Senator Frank Sorrell and the Talmage High School at Talmage, Nebraska.

By unanimous consent the resolution was adopted.

LEGISLATIVE RESOLUTION NO. 28. Introduced by Committees on Appropriations and Legislative Administration.

Authorizing Committee on Appropriations Acting in Conjunction with Committee on Legislative Administration to Reimburse Nebraska Legislative Reference Bureau for Services to be Rendered this Legislature from April 1, 1939 until adjournment sine die

Preamble

WHEREAS, Legislative Resolution No. 4, (see Legislative Journal, Sixteenth Day) heretofore adopted by this Legislature to reimburse the Nebraska Legislative Reference Bureau for additional and extraordinary services to be rendered to the Fifty-third Session of said Legislature in the sum of two thousand dollars, was predicated upon the present session adjourning sine die on or about April 1, 1939, and

WHEREAS, on January 1, 1939, said Bureau out of its Account No. 415, its regular appropriation for salaries, wages and maintenance, had available for special legislative pay rolls the sum of $1,940.42, to which balance was added the sum of $2,000.00 paid to it under the resolution of January 24, 1939, which made available for the Bureau's special legislative pay rolls, a total sum of $3,940.42, and

WHEREAS, expenditures made by said Bureau by way of special legislative pay rolls from January 1, 1939, to March 31, 1939, are itemized as follows:

JANUARY, 1939

General counsel, 30 days at $25.00 per day	$750.00	
Stenographers and copy holders, 1197 hours at .50 per hour	598.50	
Proof reading and indexing, 10 days at $5.00 per day	50.00	
Legal research, 262 hours at .62½ per hour	163.75	
Librarian, 25½ days at $3.00 per day	76.50	
		$1,638.75

FEBRUARY, 1939

General counsel, 28 days at $25.00 per day	700.00	
Stenographers and copy holders, 534 hours at .50 per hour	267.00	
Legal research, 68 hours at .62½ per hour	42.50	
		1,009.50

MARCH, 1939

General counsel, 31 days at $25.00 per day	775.00	
Stenographers and copy holders, 788 hours at .50 per hour	394.00	
Legal research, 86¼ hours at .62½ per hour	53.67	
		1,222.67
Total		$3,870.92

leaving said Bureau a free balance of $69.50 for carrying on its work after April 1, 1939, and

WHEREAS, assuming this Legislature adjourns **sine die** on or about May 10, 1939, said Bureau will require $1,800.00 for special pay roll over said forty day period, including necessary legislative supplies, allocated as follows: For its general counsel, 40 days at $25.00 per day, $1,000.00; for legal research, 200 hours at .62½ per hour, $125.00; and for stenographic and copy holding assistance, 1280 hours at .50 per hour, $640.00 (the estimates including the services of one copy holder and stenographer working a split shift from one o'clock P. M. until nine o'clock P. M. each day, this arrangement being necessary punctually to perform the Bureau's various services to the Legislature during the closing forty day period), and

WHEREAS, the funds of said Bureau are exhausted and must be replenished in order to accelerate the date of adjournment of this Legislature, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That it is the sense of this Legislature that the Nebraska Legislative Reference Bureau shall continue to perform the regular services to this Legislature which the law enjoins upon said Bureau to perform until the end of the current session in the interest of legislative efficiency and economy; and that eighteen hundred dollars is a reasonable and proper amount required to permit said Bureau to carry on its work for this Legislature until the date of its adjournment **sine die.**

2. That the Committee on Appropriations, acting in conjunction with the the Committee on Legislative Administration, upon proper voucher being presented to them signed by the Director of the Nebraska Legislative Reference Bureau, be authorized and directed to pay over to said Bureau, from the contingent fund of this Legislature, forthwith the sum of eighteen hundred dollars out of moneys appropriated for this session to said contingent fund in Section 1, Legislative Bill No. 8, as amended.

MOTION—To Recommit to Select File

Mr. President: I move that Legislative Bill No. 494 be recommitted to Select File for the following Specific amendments. (Signed) Brady.

Select File amendments to L. B. No. 494:

1. Amend the printed bill, page 3, Section 3, line 11 by inserting after the figures **"1939."** therein the following:

"There is also specifically reappropriated for the uses and purposes of the State Assistance Fund all moneys in excess of ten per cent of said Gasoline Highway Fund and from all sources as may now or hereafter be provided by law for the biennium ending June 30, 1939: Provided, the Board of Control of state institutions shall reimburse and replenish, subsequent to August 1, 1939, as the Legislature by law shall hereafter direct, the Gasoline Highway Fund of the state of Nebraska for any moneys in excess of $7,800,000.00 inuring to the State Assistance Fund between the effective date of this Act and June 30, 1939, arising out of any moneys credited to the State Assistance Fund in excess of ten per cent of said Gasoline Highway Fund.".

2. Amend the printed bill, page 3, Section 4, line 6 by inserting after the symbol and figures "$440,000.00" therein the following:

"and the additional moneys specifically appropriated by the preceding section;";

and in line 9 of said Section 4 on page 3 of the printed bill insert the word **"not"** immediately before the word "cease" therein.

3. Amend the printed bill, page 1, title, line 8 by inserting before the first punctuation ";" therein the following:

"and any moneys inuring to said fund from all sources as may now or hereafter be provided by law; to provide that the Board of Control of state institutions shall reimburse and replenish, subsequent to August 1, 1939, as the Legislature by law shall hereafter direct, the Gasoline Highway Fund of the state of Nebraska for any moneys in excess of $7,800,000.00 inuring to the State Assistance Fund between the effective date of this Act and August 1, 1939, arising out of any moneys credited to the State Assistance Fund in excess of ten per cent of said Gasoline Highway Fund;".

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL NO. 338. Laid over.

LEGISLATIVE BILL NO. 492. Referred to E and R for reengrossment.

LEGISLATIVE BILL NO. 489. Mr. Brady moved that the Legislature reconsider its action of the Sixty-fifth Day in recommitting L. B. No. 489 to Select File for specific amendment.

The motion prevailed with 34 ayes, no nays, 9 not voting.

A motion to adopt the Specific amendment was lost.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 494. The Specific Amendment offered by Mr. Brady, found in this Day's Journal, was adopted.

Referred to E and R for reengrossment.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill No. 493

Legislative Bill No. 11

Position Changed on General File

Mr. Von Seggern asked unanimous consent to place L. B. No. 286 at the foot of General File.

So ordered.

Special Order of Business

REPORT—Banking, Commerce and Insurance

Mr. President: Your Committee on Banking, Commerce and Insurance offers the following General File amendments to Legislative Bill No. 2 and moves their adoption.

(Signed) Hall, Chairman.

1. Strike all amendments to the printed and original bill if any.

2. Amend the original bill, page 1 (the printed bill, page 1) by striking all of Section 1 thereon and by inserting in lieu thereof the following:

"Section 1. That Sec. 75-223, Comp. St. Supp., 1937, be amended to read as follows:

75-223. As used in this Act and all rules and regulations prescribed by the Commission pursuant thereto: (a) The term "person" means any individual, firm, copartnership, corporation, company, association or joint stock association; and includes any trustee, receiver, assignee or personal representative thereof. (b) The term "Commission" means the Nebraska State Railway Commission. (c) The term "certificate" means a certificate of public convenience and necessity issued under this Act to common carriers by motor vehicle. (d) The term "permit" means a permit issued under this Act to contract carriers by motor vehicle. (e) The term "intrastate commerce" means commerce between any place in this state and any other place in this state and not in part through any other state. (f) The term "highway" means the roads, highways, streets and ways in this state, other than streets, boulevards and avenues within incorporated cities and villages. (g) The term "motor vehicle" means any vehicle, machine, tractor, trailer, or **tractor and** semi-trailer, propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property, but does not include any vehicle, locomotive or car operated exclusively on a rail or rails. (h) The term "motor carrier" means any person owning, controlling, managing, operating or causing to be operated any motor propelled vehicle used in transporting passengers or property for hire over any public highway in this state. (i) The term "common carrier" means any person who or which undertakes to transport passengers or property for the general public in intrastate commerce by motor vehicle for hire, whether over regular or irregular routes, upon the highways of this state. (j) The term "contract carrier" means any motor carrier transporting passengers or property for hire other than as a common carrier.

Sec. 2. That Sec. 75-224, Comp. St. Supp., 1937, be amended to read as follows:

75-224. The provisions of this Act shall apply to the transportation of passengers or property by motor carriers for hire **or compensation** engaged in intrastate commerce except: (a) A motor carrier for hire engaged in the transportation of school children and teachers to and from school. (b) A motor carrier for hire **or compensation** operated in connection with a part of a street car system. (c) The operations of any motor carrier in transportation of property within any city or village of this state or within a radius of ~~five~~ **twenty** miles beyond the corporate limits of such city or village. (d) No provision of this Act or order of the Commission shall apply to motor vehicle owners who may be employed by farmers when hauling their crop ~~to the local market~~. No provision of Act or order of the Commission shall apply to motor vehicles ~~owned and operated by farmers, ranchers, dairymen or a creamery or their employees~~ when hauling ranch, dairy or farm products and supplies from and to their ranches, farms, dairies or creamery, ~~or in a bona fide exchange of work with neighbors~~ or to motor vehicles used exclusively in carrying for hire livestock or agricultural commodities or other commodities used in the production of agricultural products to and from any farm or ranch; nor shall any provision apply to motor vehicles owned and operated by any industrial, processing or manufacturing plant when used by such plant in the transportation of raw materials and supplies to its plant or plants or in the delivery of its products, supplies or raw materials to purchasers thereof, when not for hire.

Sec. 3. That said original Secs. 75-223 and 75-224, Comp. St. Supp., 1937, are hereby repealed.

Sec. 4. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law." .

3. Amend the original bill, page 1, title, line 2 (the printed bill, title, line 2) by striking all of said title after the word "ACT" therein and by inserting in lieu thereof the following:

"to amend Secs. 75-223 and 75-224, Comp. St. Supp., 1937, relating to the transportation of passengers and property by motor carriers in intrastate commerce upon the public highways of the state of Nebraska; to define the term "motor vehicle" as used in connection therewith; to prescribe the several types of transportation of passangers or property by motor carriers for hire or compensation engaged in intrastate commerce to which the provisions of this Act shall not apply; to repeal said original sections; and to declare an emergency."

GENERAL FILE

LEGISLATIVE BILL NO. 2. Mr. Dunn offered the following amendments to the Standing Committee amendments offered above:

Strike the words "or compensation" in Sec. 75-224, line 3 of the Standing Committee amendments; also the words "or compensation" in line 6 of said Standing Committee amendments of said section.

The Dunn amendment was adopted.

Mr. Hall offered the following amendments to the Standing Committee amendments:

Amend Sec. 2, page 2, line 18, by striking the words "used exclusively in" and insert in lieu thereof the word "when" and insert after the word hire in the same line the following: "a load consisting exclusively of".

The Hall amendment was adopted.

The Standing Committee amendments, as amended, were adopted.

Mr. Garber moved that all amendments to the bill be stricken.

The motion was lost with 7 ayes, 20 nays, 16 not voting.

Mr. Hall moved that L. B. No. 2 be laid over as Special Order of Business for April 10, 1939 at 10:00 a. m.

The motion prevailed.

Members Excused

Mr. Brady was excused at 10:45 and Mr. Gross at 11:00 a. m.

Adjournment

At 12:15 p. m. on motion by Mr. Carsten the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SIXTY-EIGHTH DAY

Legislative Chamber,
Lincoln, Nebraska, April 10, 1939.

The Legislature met at 9:05 a. m. President Johnson presiding.

Reverend John Krajicek of Omaha led the Legislature in prayer.

The roll was called and all members were present except John Adams, Jr.

The Journal for the Sixty-seventh Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Tvrdik, one, opposing any movement that would bring about the exemption of any more property from taxes; Mr. Carsten, one, opposing L. B. No. 374; all members, one, favoring L. B. No. 86.

Communications

Letters were read from Senator Edward R. Burke, Speaker W. B. Bankhead and Congressman Charles F. McLaughlin, all acknowledging receipt of a copy of Legislative Resolution No. 26, regarding tariff on brushes; also an excerpt from the Congressional Record advising that Vice President Garner had presented L. R. No. 26 to the Senate and the same had been referred to the Committee on Finance.

A letter was read from Senator Burke, acknowledging receipt of a copy of Legislative Resolution No. 23, regarding Republican Valley Flood Control and an excerpt from the Congressional Record advising that Vice President Garner had presented L. R. No. 23 to the Senate and the same had been referred to the Committee on Commerce.

A letter was read from Senator George W. Norris acknowledging receipt of a copy of Legislative Resolution No. 23 and enclosing copy of a letter which he had written to the President of the Omaha Chamber of Commerce on this matter.

A letter was read from Donald E. Devries, Deputy Secretary of State, enclosing letter and musical composition by C. G. Parks of Hastings.

Invitation

A letter was read from W. W. Burr, dean of the College of Agriculture, extending to the members of the Legislature an invitation to visit the College of Agriculture on Feeders' Day, April 21, 1939.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for Approval

Saturday, April 8, 1939 at 11:40 a. m.

L. B. No. 493 L. B. No. 11

(Signed) Craven, Chairman.

MOTION—To Recommit to Select File

Mr. President: I move that L. B. No. 492 be recommitted to Select File to consider amendments. (Signed) Brady.

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL NO. 338. Laid over.

LEGISLATIVE BILL NO. 492. Specific amendments as found in the Legislative Journal for the Sixty-fifth Day were adopted.

Referred to E and R for reengrossment.

MOTION—To Appoint Sifting Committee

Mr. President: I offer the following motion and move its adoption.
(Signed) Hastings.

That the rules be suspended and that a Sifting Committee composed of the following members of this Legislature be forthwith appointed from the several congressional districts as follows: First Congressional District, John Callan, James E. Reed; Second Congressional District, Peter Gutoski, Ernest A. Adams; Third Congressional District, John Doyle, Martin J. Mischke; Fourth Congressional District, Dan Garber, Leland R. Hall; Fifth Congressional District, Harry E. Gantz, R. M. Howard; and Edwin Schultz, member at large; that said Sifting Committee, composed of the eleven members of this Legislature, as designated, be empowered to select their own chairman and be directed fairly and impartially to consider all bills on General File with a view of determining their respective importance with respect to the welfare of the state; and that said committee be empowered to place and arrange all bills on General File in the order of their importance, determined as aforesaid, giving particular preference to those bills carrying appropriations and pertaining to social security.

Action thereon deferred.

Member Excused

Mr. Brady was excused at 10:00 a. m. for the remainder of the morning.

SPECIAL ORDER OF BUSINESS

General File

LEGISLATIVE BILL NO. 2. Mr. Doyle offered the following amendment:

Page 2, Sec. 2, line 20 after the words agricultural commodities strike or other commodities used in the production of agricultural products.

The motion was lost.

Mr. Sorrell offered an amendment which was lost with 6 ayes, 21 nays, 16 not voting.

Mr. Gutoski moved to reconsider the Doyle amendment.

The motion prevailed with 23 ayes, 9 nays, 11 not voting.

After reconsideration the Doyle amendment was adopted with 19 ayes, 11 nays, 13 not voting.

Mr. Gutoski offered the following amendment, which was adopted:

To amend standing committee amendments to L. B. No. 2, Sec. 2, page 2, line 20 by striking the word "or" and inserting a "," after the word farm, and by adding after the word ranch, the words "or any market".

Mr. Howard offered the following amendment, which was adopted:

To amend standing committee amendments, Section 2, after subsection (d) by inserting subsection (e) with the words "No provisions of this Act or order of the Commission shall apply to star route carriers employed by the post office department of the United States while operating on their regular route."

Mr. Gantz offered the following amendment, which was adopted:

That the word "their" after the word "to" and before the word "ranches" in line 17, page 2 of Section 2 of Standing Committee amendments to L. B. No. 2 be stricken.

Mr. Thomas offered the following amendment, which was adopted:

To strike from subsection (f) Sec. 2, page 1 of mimeographed amendments dated April 7th, 1939, the following words:

", other than streets, boulevards and avenues within incorporated cities and villages".

Mr. Hall offered the following amendment, which was adopted:

Amend Section 2 of the mimeographed bill by adding at the end of said section the following:

"(f) No provision of this act or order of the Commission shall apply to ambulances or their owners or to hearses, or to automobiles used exclusively as an incident to conducting a funeral."

Mr. Hall moved to advance to E and R for review.

Mr. Brodecky moved to indefinitely postpone.

Mr. Brodecky's motion was lost with 4 ayes, 29 nays, 10 not voting, and Mr. Hall's motion prevailed.

Referred to E and R for review.

Request was made that the bill be mimeographed as amended.

So ordered.

Approved by Governor

April 8th, 1939

To the Members of the Legislature

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved L. B. 78.

The Governor instructs me that it is his understanding that this bill was passed for the immediate benefit of one Nebraska insurance company. The principal, if not the only argument made in favor of the bill was that this legislation was necessary in order that this one company be able to do business in the state of Massachusetts, and possibly one other state. The bill accomplishes this purpose, which is in itself meritorious, and was so recognized by a preponderant majority of your honorable body, and it is for this reason that the Governor has given this measure his approval. It is, however, the Governor's judgment, after consultation with the Insurance Department, that this measure creates what might prove to be a serious fault or weakness in our insurance laws unless corrected. He would call your attention to the fact that apparently this bill tends to project assessment companies into the mutual insurance company field without providing the legal control over such assessment companies that now applies by law to mutual insurance companies. Under the operation of this bill, an assessment company may write what amounts to mutual insurance policies without being subject to governmental regulations and taxation to which mutual insurance companies are now subject.

In view of the fact that your honorable body has recognized the need for remedial legislation affecting insurance and is making a study to that end, it is the Governor's hope that this matter will be included in your study.

Respectfully submitted,

(Signed) Otho K. De Vilbiss
Secretary to the Governor.

Adjournment

At 12:08 p. m. on motion by Mr. Garber the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SIXTY-NINTH DAY

Legislative Chamber.
Lincoln, Nebraska, April 11, 1939.

The Legislature met at 9:00 a. m. President Johnson presiding.

Reverend E. L. Pingenot of Lincoln led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Sixty-eighth Day was approved.

PETITIONS AND MEMORIALS

A petition to all members was read asking that the State Home be retained at Milford.

Communications

A letter was read from W. M. Whittington, chairman of the Committee on Flood Control, in the national House of Representatives, acknowledging receipt of a copy of Legislative Resolution No. 23 regarding Republican Valley Flood Control.

STANDING COMMITTEE REPORTS

Claims and Deficiencies

LEGISLATIVE BILL NO. 415. Indefinitely postponed.
(Signed) Ernest A. Adams, Chairman.

Labor and Public Welfare

LEGISLATIVE BILL NO. 358. Indefinitely postponed.

LEGISLATIVE BILL NO. 482. Indefinitely postponed.

LEGISLATIVE BILL NO. 156. Indefinitely postponed.
(Signed) Dunn, Chairman.

Enrollment and Review

Correctly Engrossed

L. B. No. 140
L. B. No. 264.

Correctly Reengrossed

L. B. No. 489.

(Signed) Craven, Chairman.

RESOLUTIONS

MOTION—To Reconsider Action

Mr. President: I move that we reconsider our action of the Sixtieth Day in amending Legislative Resolution No. 25. Hall.

The motion prevailed with 33 ayes, 1 nay, 9 not voting.

Unanimous consent was granted to Mr. Miller to withdraw the amendment to Legislative Resolution No. 25.

LEGISLATIVE RESOLUTION NO. 29. By J. B. Rossiter of Thurston, A. L. Miller of Kimball, L. B. Murphy of Scotts Bluff.

Resolution Memorializing the Congress of the United States to Take Action to Remove Freight Rate Inequalities that Burden the People of Nebraska and Other States West of the Mississippi River, as Compared with States East thereof, and Authorizing the Governor of Nebraska to Cooperate with the Governors of Other Western States in Preparing and Prosecuting Proceedings before the Interstate Commerce Commission for Relief and Authorizing the Governor of Nebraska to be Party to Such Proceedings, Representing the People of Nebraska and Recommending Appropriation of Funds for Purposes Herein Stated.

Preamble

WHEREAS, hearings recently held in Washington, D. C., before the Subcommittee on Interterritorial Freight Rates of the United States Senate and before the Committee on Interstate and Foreign Commerce of the United States House of Representatives have disclosed that the levels of freight rates on shipments by rail of class freight and commodities related thereto, and also many articles of manufactured freight and raw materials, between points in Nebraska and points in the states east of the Mississippi River, are relatively much higher, distance and cost of the transportation service considered, than the freight rates on like shipments moving wholly within the states east of the Mississippi River, and

WHEREAS, such higher freight rates constitute an unfair burden upon the commerce, the development and the prosperity of the state of Nebraska and its people, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That the Congress of the United States be urged to enact such legislation as may be necessary to remove present freight rate discriminations against commerce between Nebraska and states east of the Mississippi River, and to require the establishment and maintenance of freight rates for the future, between points in Nebraska and points east of the Mississippi River, that will be no higher, distance and cost of transportation service considered, than like rates within the territory east of the Mississippi River.

2. That this resolution be spread at large upon the Journal of this Legislature; and that the Clerk of this Legislature is hereby ordered and directed forthwith to forward a copy of this resolution, properly authenticated and suitably engrossed, to the President of the United States; to the Vice President of the United States as presiding officer of the United States Senate; to the Speaker of the House of Representatives of the United States; and to each of the United States Senators and Congressmen representing the state of Nebraska in the Congress to the end that representatives in the government and in the Congress of the United States will be advised that this Legislature considers as imperative remedial federal legislation which will remove present freight rate discriminations against commerce between Nebraska and states east of the Mississippi River, as set forth in the preamble of this resolution.

3. That His Excellency, R. L. Cochran, Governor of Nebraska, be hereby authorized to confer with the governors of other states west of the Mississippi River which are suffering from like freight rate inequali-

ties with a view to bringing jointly and in cooperation with such other interested states proceedings or complaints, and presenting evidence therein or in any investigation which may be instituted before the Interstate Commerce Commission for relief from said inequalities.

4. That the Governor of Nebraska, calling to his aid and assistance the Nebraska State Railway Commission, if he deems it advisable, is hereby authorized to act in the name of the people of Nebraska as a party complaining or intervening in any such proceeding, and, to carry out the directions herein given, to employ such counsel and expert technical assistants as he may consider necessary for such purpose, all within such specific appropriation as may be made for such purpose by the Legislature; and that this Legislature further suggests that its committee on Appropriations consider appropriating the sum of $5,000.00, or so much thereof as may be considered necessary, out of the general fund in the state treasury, not otherwise appropriated, for the use of the Governor or of the Governor and the Nebraska State Railway Commission, as may seem to them advisable, in the preparation and the prosecution of such proceedings.

MOTION—To Adopt Resolution

Mr. President: I move that Legislative Resolution No. 28 concerning the Legislative Reference Bureau be adopted. Brady.

The motion prevailed.

MOTION—To Suspend Rules to Introduce Bill

Mr. President: I move that the rules be suspended to permit the introduction of a bill providing that state property be marked or stamped for identification. Brady.

The motion prevailed with 36 ayes, no nays, 7 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 515. By Committee on Appropriations.

A bill for an Act relating to public property; to provide that the capitol custodian shall cause to be marked or stamped all property under his control, now owned or hereafter acquired by the state of Nebraska;

to amend Sec. 72-707, Comp. St. Supp., 1937; to provide that the Department of Roads and Irrigation shall "letter" all motor vehicles and road machinery now owned or hereafter acquired by the state of Nebraska except motor vehicles used or controlled by the state sheriff or the Nebraska Safety Patrol for state law enforcement purposes; to provide for reporting the number, use, description and estimated value of such equipment to the governor and to the Legislature; to provide penalties for the violation thereof; to repeal said original section; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 515 be read the second time now. Brady.

The motion prevailed with 36 ayes, no nays, 7 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title see Bills on First Reading)

LEGISLATIVE BILL NO. 515. Referred to Committee on Public Works.

GENERAL FILE

LEGISLATIVE BILL NO. 53. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Sixtieth Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 172. Mr. Craven withdrew his amendments offered on the Forty-seventh Day.

Mr. Sorrell moved to indefinitely postpone.

The motion was lost with 14 ayes, 21 nays, 8 not voting.

Mr. Gutoski offered the following amendment, which was adopted with 27 ayes, 7 nays, 9 not voting.

Amend by inserting the following words, following the word "session" in line 8 of Section 3 of the printed bill ", and until said rules are enacted into law by the Legislature" and striking out the last sentence in Section 3 of the printed bill.

Referred to E and R for review.

Approved by Governor

April 8th, 1939.

To the Members of the Legislature

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bills:

L. B. No. 11 L. B. No. 493

Respectfully submitted,

(Signed) Otho K. De Vilbiss
Secretary to the Governor.

MOTION—To Hold Afternoon Sessions

Mr. President: I move that this legislature will proceed today to hold afternoon sessions. (Signed) Von Seggern.

Motion

Mr. President: I move that we hold afternoon sessions starting Monday, April 17th. (Signed) Gutoski.

The Gutoski motion prevailed.

Visitor

Mr. Earl W. Carpenter, a member of the 1937 session of the Legislature was introduced and addressed the Legislature briefly.

Member Excused

At 10:40 a. m. Mr. Brady was excused for the remainder of the morning.

Recess

At 11:53 a. m. Mr. Von Seggern moved to recess until 3:30 p. m.

The motion prevailed with 18 ayes, 14 nays, 11 not voting.

After Recess

The Legislature reconvened at 3:40 p. m. President Johnson presiding.

The roll was called and all members were present except John Adams, Jr. and except Ernest Adams, Mr. Norman and Mr. Klaver who were excused.

MOTION—To Change Position on General File

Mr. President: I move that all revenue bills be placed on General File after the appropriation bill. Johnson.

MOTION—To Lay Over

Mr. President: I move that this matter be laid over a week. Dunn.

The motion to lay over prevailed.

GENERAL FILE

LEGISLATIVE BILL NO. 240. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Thirty-fourth Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 180. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Thirty-fifth Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 183. Read and considered.

Mr. Norman moved that his name be added as a cointroducer.

The motion prevailed.

Mr. Miller moved to refer to E and R for review.

Mr. Herrick moved that L. B. No. 183 be indefinitely postponed.

The Herrick motion prevailed.

LEGISLATIVE BILL NO. 74. Laid over.

LEGISLATIVE BILL NO. 75. Laid over.

LEGISLATIVE BILL NO. 17. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Twenty-ninth Day were adopted.

Mr. Dunn moved to strike the enacting clause.

The motion prevailed with 26 ayes, 11 nays, 6 not voting.

Adjournment

At 5:20 p. m. on motion by Mr. Hall the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SEVENTIETH DAY

Legislative Chamber,
Lincoln, Nebraska, April 12, 1939.

The Legislature met at 9:00 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Sixty-ninth Day was approved as corrected.

PETITIONS AND MEMORIALS

Mr. Van Diest presented a request from his constituents asking that an appropriation be made for the care and maintenance of the Pressey State Park.

Communications

Letters were read from the Acting Commissioner of the Bureau of Reclamation and A. M. Neilson, Captain, Corps of Engineers, asknowledging receipt of a copy of Legislative Resolution No. 23 regarding Republican Valley Flood Control; also a letter from Congressman Harry B. Coffee acknowledging receipt of a copy of Legislative Resolution No. 26, regarding Tariff on Brushes.

Invitations

Through a letter to Speaker Diers, an invitation was extended to the members of the Legislature to attend a showing of the motion picture "Visual Guardians" at the Lincoln Hotel, Sunday, April 16, 1939 at 3:00 p. m.

An invitation was extended to the members to see the motion picture films of the Fort Wayne Indiana Housing Project at the First Christian Church on Wednesday evening, April 12th.

NOTICE OF COMMITTEE HEARINGS

Public Works

L. B. No. 515, Wednesday, April 19, 1939, 4:30 p. m.

Banking, Commerce and Insurance

L. B. No. 313, Tuesday, April 18, 1939, 2:00 p. m.

L. B. No. 423, Tuesday, April 18, 1939, 2:00 p. m.

L. B. No. 281, Tuesday, April 18, 1939, 2:00 p. m.

L. B. No. 354, Tuesday, April 18, 1939, 2:00 p. m.

L. B. No. 381, Tuesday, April 18, 1939, 2:00 p. m.

L. B. No. 353, Tuesday, April 18, 1939, 2:00 p. m.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL NO. 508. Placed on General File.

LEGISLATIVE BILL NO. 355. Placed on General File.
(Signed) Ashmore, Chairman.

Judiciary

LEGISLATIVE BILL NO. 127. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 127:

1. Amend the original bill, pages 1 to 3 inclusive, Section 2 to Section 8 inclusive by striking the word "Section" in line 1 of each of said sections respectively and by inserting in lieu thereof the abbreviation and punctuation "Sec.".

2. Amend the original bill, page 1, Section 2, line 4 (the printed bill, page 1, Section 2, line 4) by striking the word "legislature" and by inserting in lieu thereof the word "Legislature".

3. Amend the original bill, page 1, Section 2, line 8 (the printed bill, page 1, Section 2, line 7) by striking the word "Federal" and by inserting in lieu thereof the word "federal".

4. Amend the original bill, page 1, Section 3, line 5 (the printed bill, page 1, Section 3, line 5) by striking the word "Clerk" therein and by inserting in lieu thereof the word "clerk".

5. Amend the original bill, page 1, Section 3, line 6; page 2, Section 3, line 8; page 2, Section 5, lines 2 and 5; (the printed bill, page 1, Section 3, line 5; page 2, Section 3, line 7; page 2, Section 5, lines 2 and 5) by striking the word "Governor" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word "governor".

6. Amend the original bill, page 2, Section 3, line 15; page 2, Section 5, line 7; page 2, Section 6, lines 2 and 3 (the printed bill, page 2, Section 3, line 13; page 2, Section 5, line 7; page 2, Section 6, lines 2 and 3) by striking therefrom the word "State" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word "state".

7. Amend the original bill, page 2, Section 5, line 2 (the printed bill, page 2, Section 5, line 1) by inserting after the word "Clerk" therein the following:

"of the Supreme Court".

8. Amend the original bill, page 3, Section 7, line 7 (the printed bill, page 3, Section 7, line 7) by striking therefrom the figures and symbol "20%" and by inserting in lieu thereof the word "twenty per cent".

9. Amend the original bill, page 3, Section 7, line 11 (the printed bill, page 3, Section 7, line 10) by striking therefrom "$10.00" and by inserting in lieu thereof the words "ten dollars".

10. Amend the original bill, page 2, Section 4, line 6 (the printed bill, page 2, Section 4, line 5) by inserting after the word and punctuation "statutes." therein the following:

"The several sections in said supplement shall be cited thus: "Sec. ...., Comp. St. Supp., Nebr., 1939"; and the legend on each of said supplement volumes shall be printed so as to comply strictly with the foregoing citation direction.".

(Signed) Thomas, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 2. Placed on Select File with amendments.

E and R amendments to L. B. No. 2:

I. Amend the original General File, Committee on Banking, Commerce and Insurance amendments, Amendment No. 2, page 3, Section 2, line 7 (the Unofficial Copy, mimeographed, dated April 10, 1939, page 2, Section 2, line 14) by inserting the word "this" after the word "of" and before the word "Act" therein.

II. Amend the original General File, Committee on Banking, Commerce and Insurance amendments, Amendment No. 2, page 1, Section 1, lines 5 and 6 (unofficial copy, mimeographed, dated April 10, 1939, page 1, Section 1, line 5) by striking the word "co-partnership" and inserting the word "copartnership" in lieu thereof.

Correctly Engrossed

L. B. No. 351.

Correctly Reengrossed

L. B. No. 3 L. B. No. 492.

(Signed) Craven, Chairman.

MOTION—To Change Position on General File

Mr. President: I move that L. B. No. 508 be placed immediately following the assistance bills on General File. Ashmore.

The motion prevailed.

RESOLUTIONS

Mr. Miller called up Legislative Resolution No. 25 and moved its adoption.

Mr. Mekota moved to indefinitely postpone.

The Mekota motion was lost and the Miller motion prevailed.

Legislative Resolution No. 25 was adopted.

MOTION—To Suspend Rules

Mr. President: I move that the rules be suspended and no further committee hearing be had on Legislative Resolution No. 29 for the reason that a committee hearing was had on this resolution under Legislative Resolution No. 25. (Signed) Rossiter.

The motion prevailed with 32 ayes, no nays, 11 not voting.

STANDING COMMITTEE REPORT

Banking, Commerce and Insurance

LEGISLATIVE RESOLUTION NO. 29. Placed on General File.

(Signed) Hall, Chairman.

MOTION—To Suspend Rules

Mr. President: Legislative Bill No. 3 has been returned, correctly reengrossed, and placed on Third Reading File. I now move that the rules be suspended and that the final form on Third reading be not reprinted. (Signed) Carlson.

The motion prevailed with 36 ayes, no nays, 7 not voting.

GENERAL FILE

LEGISLATIVE BILL NO. 508. Read and considered.

Laid over.

Mr. Johnson presiding.

At 10:42 Mr. Brady was excused for a short time.

LEGISLATIVE BILL NO. 74. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Thirty-fifth Day were adopted.

Mr. Callan offered the following amendment, which was adopted:

That the words pool halls or places where alcoholic liquor is sold, in lines 3 and 4, Sec. 5, page 3, be stricken.

Mr. Gantz offered the following amendment, which was adopted:

That the words "pool halls" in line 3 of Section 5 of L. B. 74 be stricken; that words "and the barber shop shall have outside public entrance" in line 6 of said section be stricken.

Mr. Rossiter offered the following amendment, which was adopted:

That Sec. 10, page 5 of the printed bill be amended by striking the word "may" in the first line and inserting in lieu thereof the word "shall".

John Adams, Jr. offered the following amendment, which was adopted:

Amend L. B. No. 74, Sec. 10 by striking the words "any organized group or groups of" in line 3.

Mr. Gantz offered the following amendment, which was adopted with 17 ayes, 13 nays, 13 not voting:

That the words "any legislative district, county, city, village or area outside the corporate limits of municipalities" in lines 5 and 6 of Sec. 10 be stricken and that the words "cities or villages" be inserted in lieu thereof.

Mr. Herrick moved to strike the enacting clause.

Record vote requested.

Voting in the affirmative, 8:

Adams, J. Jr.
Brady
Herrick
Howard
Neubauer
Reed
Thomas
Von Seggern

Voting in the negative, 25:

Adams, E. A.
Callan
Diers
Doyle
Dunn
Gantz
Gutoski
Hall
Hastings
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Norman
Reavis
Rossiter
Sorrell
Thornton
Tvrdik
Van Diest
Westley

Not voting, 10:

Ashmore
Brodecky
Carlson
Carsten
Craven
Garber
Gross
Johnson
Peterson
Schultz

The motion was lost.

Social Security Legislation

Speaker Diers read a letter which he had received from Governor Cochran, advising that Miss Jane Hoey, Director of the Assistance Bureau of the national Social Security Board, would be in Lincoln for a brief period on Thursday and that arrangements had been completed for her to meet a committee from the Legislature to discuss social security legislation in connection with federal aid.

MOTION—Joint Committee to Washington

Mr. President: I move that the Committee on Social Security Legislation and a subcommittee of the Appropriations committee accompany Miss Jane Hoey to Washington, D. C. if necessary, in order to find out what is required by the Social Security Board and to make a report back to this Legislature forthwith and that the State pay the necessary expenses of said committee. (Signed) Reavis.

The motion prevailed.

Recess

At 12:37 p. m. on motion by Mr. Von Seggern the Legislature recessed until 3:00 p. m.

After Recess

The Legislature reconvened at 3:10 p. m. President Johnson presiding.

The roll was called and all members were present.

GENERAL FILE

LEGISLATIVE BILL NO. 74. Mr. Gutoski offered the following amendments which were adopted:

Amend L. B. 74, Sec. 10, line 6, by inserting after the word "Nebraska" the following: "Barber shop owners or managers operating shops outside the limits of cities or villages shall, for the purposes of this act, be considered to be a part of the group of barber shop owners or managers of the city or village which is their post-office address".

Mr. Gantz offered the following amendments which were adopted:

To strike Sec. 16 of L. B. 74 and to renumber the subsequent sections.

That the words "the legislative district, county, corporate" in lines 18, 19 and 23, Section 10, be stricken and the word "or" be inserted between the words "city" and "village" in each instance and the word "said" be inserted before the word "city" in each instance.

To strike the words "each legislative district, county" in line 10 of the title to L. B. 74 and insert the word "any" after the word "in" in said line, and after the word "village" insert "or area outside the limits of any municipality".

Mr. Dunn moved that all the amendments to L. B. 74 be mimeographed, placed on the desk of each member, and that the bill as amended be referred to the Attorney General for an opinion as to its constitutionality.

The motion prevailed.

LEGISLATIVE BILL NO. 75. Laid over.

LEGISLATIVE BILL NO. 362. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 76. Read and considered.

Mr. Tvrdik offered the following amendment:

1. Amend the printed bill, page 1, by striking all of Sections 1 and 2 thereon and by inserting in lieu thereof the following:

Section 1. All governing authorities of the state of Nebraska, and governmental subdivisions thereof, and every person acting as purchasing agent for the state of Nebraska or any governmental subdivision thereof, shall in awarding contracts for public works, require all contractors bidding on public works to file with said authority a statement that he is complying with and will continue to comply with, fair labor standards in the pursuit of his business and in the execution of the contract on which he is bidding. The governing authorities shall also require to be written into each and every contract for public works, in addition to such other provisions as are necessary and prescribed by law, a provision that in the execution of such contract, fair labor standards shall be maintained: Provided, that this section shall not apply to such governing authorities as prescribed in contracts for public works, provisions governing the hours of labor, rates of pay and conditions of employment.

Sec. 2. Upon showing by interested parties that any contractor bidding upon public works, and having filed the statement as requested by Section 1 of this Act, has not complied with fair labor standards in the pursuit of his business or occupation, such showing shall be the basis for the disqualification of the low bid, in which case the awarding authority shall let the bid to the next lowest responsible bidder. **"Fair labor standards"** as used in this Act shall be construed to mean such standards as tend to maintain or increase the scale of wages and to improve the conditions of employment within the trade or industry involved."

2. Amend the printed bill, page 1, title, by striking all of said title after the word "ACT" in line 2 thereon and by inserting in lieu thereof the following:

"relating to public works; to provide that the state of Nebraska and the governmental subdivisions thereof in awarding contracts for public works shall require contractors to certify that they are maintaining fair labor standards; to require fair labor standards in the performance of contracts for public works; to provide that contracts containing provisions concerning rates of pay, hours of work and conditions of employment, shall be excepted from the provisions of this Act; and to declare an emergency.".

No action taken. Laid over.

Mr. Carsten was excused at 4:30 p. m.

LEGISLATIVE BILL NO. 47. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Thirty-seventh Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 304. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 79. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 41. Read and considered.

Mr. Tvrdik offered the following amendments which were adopted:

1. Amend the printed bill, page 1, Section 1 and on page 2, Section 1, lines 12 and 28 respectively, by striking therefrom the figures **"1939"** wherever the same appear and by inserting in lieu thereof the figures **"1940"**.

2. Amend the printed bill, page 2, Section 1, line 40 by striking therefrom the word "ten" and by inserting in lieu thereof the word **"forty"**.

3. Amend the printed bill, page 3, Section 2, line 14 by inserting after the abbreviation and punctuation **"No."** therein the figures "41".

4. Amend the printed bill, page 1, Section 1, line 5 by striking the word "city" therein and by inserting in lieu thereof the following:

"school districts lying wholly or partially within the corporate limits of said cities".

5. Amend the printed bill, page 1, Section 1, line 6 by striking therefrom the words "the city" and by inserting in lieu thereof the words:

"said school districts".

Referred to E and R for review.

STANDING COMMITTEE REPORT

Labor and Public Welfare

LEGISLATIVE BILL NO. 451. Placed on General File.

(Signed) Dunn, Chairman.

Adjournment

At 5:12 p. m. on motion by Mr. Reed the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SEVENTY-FIRST DAY

Legislative Chamber,
Lincoln, Nebraska, April 13, 1939.

The Legislature met at 9:00 a. m. President Johnson presiding.

Reverend A. E. Chadwick of Lincoln led the Legislature in prayer.

The roll was called and all members were present except Speaker Diers who was called home on account of illness and except Messrs. Schultz, Murphy, Peterson, Brady, Rossiter and Callan who were excused to meet Miss Hoey in regard to Social Security legislation.

The Journal for the Seventieth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Carsten, four, favoring L. B. No. 185; all members, one, opposing L. B. No. 374.

Communications

Letters were read from John P. Robertson, secretary to Senator Norris, Congressman Karl Stefan, and Sidney Morgan, secretary of the United States Tariff Commission, all acknowledging receipt of Legislative Resolution No. 26 relating to Tariff on Brushes, and the latter letter enclosed a copy of C. D. 125 containing a copy of the opinion of the United States Customs Court on this subject.

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL NO. 65. Placed on General File.
(Signed) Hall, Chairman.

Judiciary

LEGISLATIVE BILL NO. 485. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 485:

1. Amend the original bill, page 1, Section 1, line 28 (the printed bill, page 2, Section 1, line 23) by inserting after the word and punctuation "business," therein the following:

"or at the registered office of said corporation,".

2. Amend the original bill, page 2, Section 1, lines 44 to 48 inclusive (the printed bill, page 2, Section 1, lines 35 to 39 inclusive) by restoring stricken matter as follows to the text of said section:

"Every person who shall violate any of the provisions of this article shall be fined in a sum not exceeding one thousand dollars or be imprisoned in the county jail for not more than three months or both in the discretion of the court.";

and insert said stricken matter, when restored to said section so that it will be placed immediately after the word and punctuation "performed." in line 38 of the original bill (line 31 of the printed bill).

3. Amend the original bill, page 2, Section 1, line 63 (the printed bill, page 3, Section 1, line 51) by inserting immediately after the word **"Statutes"** therein the following:

"of Nebraska, 1929, as now existing or as hereafter amended. Any person who has been designated by a foreign corporation as such agent may file with the secretary of state a signed statement that he is unwilling to continue to act as the agent of such corporation for the service of process: Provided, the execution of said statement shall be duly acknowledged. Upon the filing of such statement with the secretary of state the capacity of such person as such agent shall terminate. If a designated agent dies, resigns or moves from the state, the corpora-

tion, within thirty days thereafter, shall file with the secretary of state a certificate setting forth the name and complete address of a newly designated agent."; and strike "for 1929" in said line.

4. Amend the original bill, page 1, Section 1 (the printed bill, page 1, Section 1) by striking all of lines 1, 2 and 3 of said section of the original bill (lines 1 and 2 of said section of the printed bill) and by inserting in lieu thereof the following:

"Section 1. That Section 24-1201, Compiled Statutes of Nebraska, 1929, be amended to read as follows:".

5. Amend the original bill, page 2, (the printed bill, page 3) by striking all of Sections 2 and 3 thereon and by inserting in lieu thereof the following:

"Sec. 2. That said original Section 24-1201, Compiled Statutes of Nebraska, 1929, is hereby repealed.

Sec. 3. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law.".

6. Amend the original bill, page 1, Section 1, line 20 by inserting the word "corporation" after the word "foreign" and before the word "shall" therein.

7. Amend the original bill, page 1, Section 1, lines 11 and 26 (the printed bill, pages 1 and 2, Section 1, lines 9 and 20) by striking the word "State" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word **"state"**.

8. Amend the original bill, page 1, Section 1, lines 12 and 13 (the printed bill, page 1, Section 1, line 10) by striking the words "Secretary of State" wherever the same appears therein and by inserting in lieu thereof in each of said lines respectively the words **"secretary of state"**.

9. Amend the original bill, page 2, Section 1, line 50 (the printed bill, page 2, Section 1, line 41) by striking the word **"act"** therein and by inserting in lieu thereof the word **"Act"**.

10. Amend the original bill, page 1, title (the printed bill, page 1, title) by striking all of said title after the word "ACT" in line 2 of the original bill (line 2 of the printed bill) and by inserting in lieu thereof the following:

"to amend Section 24-1201, Compiled Statutes of Nebraska, 1929, relating to corporations; to prescribe rules and regulations concerning the designation of agents for service of process in the state of Nebraska by foreign corporations, except insurance, beneficiary and railroad companies; to provide that the auditor of public accounts shall be deemed the lawful agent for service by said foreign corporations that shall have conducted business in this state without designating their said agents for service of process as therein required; to repeal said original section; and to declare an emergency.".

(Signed) Thomas, Chairman.

Public Works

LEGISLATIVE RESOLUTION NO. 14. Placed on General File with amendments.

Standing Committee amendments to L. R. No. 14:

1. Amend the original resolution, page 3, Section 2, line 14 (the printed resolution, Legislative Journal, Thirty-eighth Day, Section 2, line 11) by striking therefrom the word "seventieth" and by inserting in lieu thereof of the word "eighty-fifth".

LEGISLATIVE BILL NO. 253. Placed on General File with amendments.

(Standing Committee amendments mimeographed in lieu of printing in Journal.)

(Signed) Howard, Chairman.

BILLS ON THIRD READING

By unanimous consent bills on Third Reading File were passed over on account of the absence of a number of members.

SELECT FILE

LEGISLATIVE BILL NO. 338. Passed over.

LEGISLATIVE BILL NO. 2. E and R amendments as found in the Legislative Journal for the Seventieth Day were adopted.

The following Select File amendment was offered by Mr. Craven:

"To amend L. B. No. 2, unofficial mimeograph copy, April 10, 1939, page 2, Section 2, line 17, by striking therefrom the words "and supplies" following the word "products" and preceding the word "from".

Laid over.

GENERAL FILE

LEGISLATIVE BILL NO. 508. Laid over until Monday.

LEGISLATIVE BILL NO. 74. Passed over.

LEGISLATIVE BILL NO. 75. Passed over.

LEGISLATIVE BILL NO. 76. Laid over.

LEGISLATIVE BILL NO. 107. Passed over.

LEGISLATIVE BILL NO. 44. Read and considered.

Mr. Craven offered the following amendment, which was adopted with 18 ayes, 9 nays, 16 not voting:

That L. B. No. 44 be amended by striking the figures "90%" from line 11 of the printed bill and inserting in lieu thereof the figures "45%" and inserting in the title after the word "credit" the words "a portion of".

Mr. Craven moved to refer to E and R for review.

The motion prevailed with 20 ayes, 3 nays, 20 not voting.

LEGISLATIVE BILL NO. 134. Laid over one day.

LEGISLATIVE BILL NO. 175. Standing Committee amendment No. 1 found in the Legislative Journal for the Thirty-eighth Day was withdrawn and amendment No. 2 thereof was adopted.

The following amendment was offered by Mr. Mischke and adopted:

To strike subsection "b" of Section 4 and to amend the title to conform therewith.

Referred to E and R for review.

Recess

At 12:00 m. on motion by Mr. Von Seggern the Legislature recessed until 3:00 p. m.

After Recess

The Legislature reconvened at 3:00 p. m. President Johnson presiding.

The roll was called and all members were present except Ernest A. Adams and Mr. Brady.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 53. Placed on Select File with amendments.

E and R amendments to L. B. No. 53:

I. Amend the original bill, page 2, Section 1, lines 8 and 11 (the printed bill, page 1, Section 1, lines 7 and 9); and the title, page 1, line 11 (the printed bill, page 1, line 7) by striking the word "State" wherever the same appears therein and by inserting in lieu thereof the word **"state".**

II. Amend the printed bill, page 1, by carrying over thereto from the original bill, the enacting clause as follows:

"BE IT ENACTED BY THE PEOPLE OF THE STATE OF NEBRASKA:".

LEGISLATIVE BILL NO. 172. Placed on Select File with amendments.

E and R amendments to L. B. No. 172:

I. Amend the printed bill, page 1, Section 2, line 4 by inserting after the word "rules" and before the preposition "of" therein the words "the right".

II. Amend the original bill,, page 1, title, line 9 (the printed bill, page 1, title, line 6) by inserting after the word "adopted" and before the word "shall" therein the following:

", when enacted into law by the Legislature,".

LEGISLATIVE BILL NO. 180. Placed on Select File with amendments.

E and R amendments to L. B. No. 180:

I. Amend the original bill, page 2, Section 1, line 8 (the printed bill, page 1, Section 1, line 7) by striking therefrom the words "And it shall" therein and by inserting in lieu thereof the following:

"It shall also".

II. Amend the original bill, page 2, Section 1, line 13 (the printed bill, page 1, Section 1, line 11) by striking therefrom the punctuation "." therein and by inserting in lieu thereof the punctuation ":".

III. Amend the original bill, page 2, Section 1, line 28 (the printed bill, page 2, Section 1, line 23) by striking therefrom the word "Beaver" and by inserting in lieu thereof the word **"beaver".**

IV. Amend the original bill, page 2, Section 1, line 30 (the printed bill, page 2, Section 1, line 24) by striking therefrom the word "Commission" therein and by inserting in lieu thereof the word **"commission".**

V. Amend the original bill, page 3, Section 1, line 33 (the printed bill, page 2, Section 1, line 27) by inserting after the word "outside" and before the definite article "the" therein the preposition "of"; and in said line strike the word "State" therein and insert in lieu thereof the word **"state".**

VI. Amend the original bill, page 3, Section 2, line 1 (the printed bill, page 2, Section 2, line 1) by inserting after the word "That" therein the words "said original".

VII. Amend the Standing Committee amendments, original, page 1, Amendment 1, lines 8 and 9 by striking the word "permitee" wherever the same appears therein and by inserting in lieu thereof in each of said lines respectively the word "permittee".

VIII. Amend the Standing Committee amendments, original, page 1, by striking all of amendment 2 thereon and by inserting in lieu thereof the following:

"2. Amend the original bill, page 2, Section 1, (the printed bill, page 2, Section 1) by striking that part of said section commencing with the conjunction "and" in line 14 of the original bill (line 12 of the printed bill) down to and including the word and punctuation **"bidder."** in line 28 of the original bill (line 23 of the printed bill) and by inserting in lieu thereof the following:

"the commission may upon application in writing, and satisfactory showing of the necessity for the protection of such property, issue permits in writing to the owner or owners of such lands or the person or

persons in control to kill or otherwise destroy such beaver. Said beaver or the hides taken from the same shall be the property of the person to whom said permit is given; and provided further, said permittee or permittees, authorized to kill or destroy such beaver, as aforesaid, shall report in writing to the commission the number of beaver destroyed under said permit within thirty days after the destruction of any of said beaver, and, accompanying said report, said permittee or permittees shall forward a fee in the sum of one dollar for each beaver so destroyed. The permit granted to kill or otherwise destroy such beaver shall continue for sixty days after the date of its issuance, unless said permit shall be terminated sooner by the written order of the commission.".

IX. Amend the original bill, page 2, Section 1, lines 7 and 31 (the printed bill, page 1, Section 1, lines 6, and page 2, line 25) by striking therefrom the word "the" preceding the word "Game" and inserting in lieu thereof the word **"The"** in each of said lines respectively.

LEGISLATIVE BILL NO. 240. Placed on Select File with amendments.

E and R amendments to L. B. No. 240:

I. Amend the original bill, page 1, Section 1, line 4 (the printed bill, page 1, Section 1, line 3) by striking the definite article "the" before the word "University" therein and by inserting in lieu thereof the word "The".

II. Amend the original bill, page 1, title, line 6 (the printed bill, page 1, title, line 4) by striking the definite article "the" before the word "University" therein and by inserting in lieu thereof the word "The".

(Signed) Craven, Chairman.

GENERAL FILE

LEGISLATIVE BILL NO. 344. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Thirty-eighth Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 192. Read and considered.

Referred to E and R for review.

Member Excused

Mr. Garber was excused until Monday.

LEGISLATIVE BILL NO. 129. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Thirty-eighth Day were adopted.

John Adams, Jr. offered the following amendment, which was adopted:

Amend Standing Committee amendment No. 12 to Sec. 5, page 2, lines 4, 5 and 6 by changing the words "one hundred" to "two hundred."

Mr. Norman offered the following amendment, which was adopted:

1. Amend the printed bill, page 3, Section 6, by striking that part of said section commencing with the words "He shall" in line 5 down to and including the word and punctuation "term." in line 20 of said section.

2. Amend the printed bill, page 3, by inserting a new section immediately after Section 6, line 24 thereon, as follows:

"Sec. 7. The business of each health district shall be managed by a board of five citizens. The term of office of the board members, except as herein otherwise provided, shall begin and end as provided by law for county officers. The first board shall be chosen at the election in which the health district is created. Any resident citizen may file as a candidate for the proposed board any time between the filing of the petition for the establishment of the board and ten days prior to the election thereon. The election officers shall canvass the votes for candidates at the same time the vote is canvassed for the creation of the district and shall certify to the Governor the five individuals receiving the highest number of votes. At the same time the Governor proclaims the establishment of the health district, he shall proclaim said individuals as the governing board thereof. The term of the two individuals receiving the least votes shall end following the first general county election thereafter; the term of the two individuals receiving the next higher votes shall end following the second general county election thereafter; and the term of the individual receiving the highest vote shall end following the third general county election thereafter. A successor shall be elected for each member for a term of six years. Such successor shall be nominated and elected in the same manner as county officers on the non-political ballot are chosen. Each Board Member shall continue in office until his successor is elected and qualified. Each member of the board shall qualify by filing an acceptance with the county clerk of the county in which he or she resides. In case of vacancy for any cause, the Governor shall appoint a successor for the term, or the remainder of the term."

3. Amend the printed bill, page 5, by inserting immediately after Section 11, line 28, a new section as follows:

"Sec. 13. In the event remedial treatment or care is obtained by an individual who is in fact not indigent or by an individual indigent where the primary legal responsibility rests upon a third party financially able to render such treatment or care, the health district shall have a right to recover the fair value of the treatment and care so rendered. In the event any political subdivision within the health districts desires special remedial care or treatment for the members of such political subdivisions not given by the health district to all inhabitants of said district, it shall be the duty of the health district to furnish such service and such governmental subdivision shall pay the health district for the cost of such special treatment or care so rendered."

4. Amend the printed bill, pages 3 to 7, inclusive, by renumbering Sections 7 to 22, inclusive, thereon, to comply with the foregoing amendments.

5. Amend the printed bill, page 1, title, line 16, by inserting immediately after the word and punctuation "Act;" the following:

"to provide for recovery of fair value of treatment and care rendered in certain cases; to provide for payment by governmental subdivisions for special treatment and care rendered to members thereof;".

Referred to E and R for review.

LEGISLATIVE BILL NO. 130. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 131. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 290. Read and considered.

Mr. Murphy moved to indefinitely postpone.

The motion prevailed.

LEGISLATIVE BILL NO. 132. Read and considered.

Mr. Gutoski offered the following amendment which was adopted:

"That where "Legislative Bill No. ...." appears in the bill, the figures "132" be inserted in the blank space.

Referred to E and R for review.

Adjournment

At 5:28 p. m. on motion by Mr. Miller the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SEVENTY-SECOND DAY

Legislative Chamber,
Lincoln, Nebraska, April 14, 1939.

The Legislature met at 9:00 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Garber who was excused.

The Journal for the Seventy-first Day was approved as corrected.

PETITIONS AND MEMORIALS

Mr. Johnston introduced a petition opposing L. B. No. 385 and favoring L. B. No. 56.

Communications

A letter was read from Miles Reber, Captain, Corps of Engineers, of the War Department, acknowledging receipt of a copy of Legislative Resolution No. 23 regarding Republican Valley Flood Control.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL NO. 82. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 82:

1. Amend the original bill, page 1, title, line 8 (the printed bill, page 1, title, line 5) by striking the word "State" therein and by inserting in lieu thereof the word "state".

(Signed) Thomas, Chairman.

Appropriations

LEGISLATIVE BILL NO. 471. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 471:

1. Amend the original bill, page 2, Section 2, line 12 (the printed bill, page 1, Section 2, line 9) by striking the word "act" therein and by inserting in lieu thereof the word "Act".

2. Amend the original bill, page 2 (the printed bill, pages 1 and 2) by striking all of Section 3 thereon and by inserting in lieu thereof the following:

"Sec. 3. That the unexpended balance, identified by Acct. No. 121, in the office of the auditor of public accounts, in the sum of and to the extent of fifty thousand dollars, or so much thereof as may be necessary, arising out of appropriations heretofore made in paragraph 1, Section 37, Chapter 193, Session Laws of Nebraska, 1937, for the Bureau of Food, Drugs and Oils under the Department of Agriculture and Inspection, is hereby specifically reappropriated to the uses and purposes of said advertising commission. There is hereby established in the office of the state treasurer a fund to be designated as **Nebraska Advertising Commission Fund** to which said fifty thousand dollars, specifically reappropriated by the provisions of this section, shall forthwith be transferred and credited upon the passage and approval of this Act. The state treasurer shall, without further action on the part of the Legislature, auditor of public accounts, secretary of state or any other person credit the sum herein specifically reappropriated, not exceeding the sum of fifty thousand dollars, to the **Nebraska Advertising Commission Fund.** The money herein specifically reappropriated and credited in accordance with the provisions of this section, shall be immediately available for the uses and purposes of this Act and shall be expended under the direction of the Nebraska Advertising Commission. The auditor of public accounts, upon receipt of proper vouchers approved by the governor, indicating that each claim made against said fund is for necessary expenditures incurred pursuant to the provisions of this Act, shall issue his warrants against said fund; and the state treasurer shall countersign and pay same from, but never in excess of, the amount herein specifically reappropriated for the uses and purposes of this Act.".

3. Amend the original bill, page 1, Section 1, line 2 (the printed bill, page 1, Section 1, line 1) by striking the words "advertising commission" and by inserting in lieu thereof the words "Nebraska Advertising Commission", hereinafter called "commission",".

4. Amend the original bill, page 1, title (the printed bill, page 1, title) by striking all of said title after the word "ACT" in line 2 of the original bill (line 2 of the printed bill) and by inserting in lieu thereof the following:

"relating to the state of Nebraska; specifically to reappropriate unexpended balances identified by Acct. No. 121, in the the office of the auditor of public accounts arising out of appropriations heretofore made in paragraph 1, Section 37, Chapter 193, Session Laws of Nebraska, 1937, for the Bureau of Food, Drugs and Oils under the Department of Agriculture and Inspection, in the sum of and to the extent of fifty thousand dollars, or so much thereof as may be necessary, to the uses and purposes of the Nebraska Advertising Commission established and created therein; to prescribe the membership of which said commission shall consist; to require said commission to advertise the products of the state of Nebraska and the advantages of said state as a place of residence and recreation so as to attract tourists and to induce industries to locate within the confines of said state; and to declare an emergency.".

LEGISLATIVE BILL NO. 178. Indefinitely postponed.

LEGISLATIVE BILL NO. 461. Placed on General File.

LEGISLATIVE BILL NO. 462. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 462:

1. Amend the original bill, page 2, Section 1, line 16 (the printed bill, page 1, Section 1, line 12) by inserting after the word and punctuation "institutions." therein the following:

"The Board of Control of state institutions shall, out of said general maintenance funds, provide a caretaker to reside on the premises of said home, for the purpose of maintaining, protecting, keeping in repair and preserving the grounds and buildings of said home during the time it shall not be used as a state institution.

Sec. 2. Unwed mothers with children born or unborn, worthy married women deserted by their husbands less than nine months and their said children shall hereafter be afforded protection and proper care by the Board of Control of state institutions through its Child Welfare Division, within such appropriations as the Legislature shall from time to time provide for such purposes.".

2. Renumber Sections 2 and 3 on page 2 of the original bill (page 1 of the printed bill) to correspond with the preceding amendment.

3. Amend the original bill, page 1, title, line 11 (the printed bill, page 1, title, line 7) by inserting after the word and punctuation "designate;" therein the following:

"to require the Board of Control of state institutions to provide a caretaker for said home after its closing; to provide for the protection and care of unwed mothers and certain worthy married women and their children hereafter through the Child Welfare Division of said Board of Control of state institutions;".

4. Amend the title and text of both the original and the printed bill by inserting the words "of state institutions" after the expression "Board of Control" wherever the same appears therein.

LEGISLATIVE BILL NO. 460. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 460:

1. Amend the original bill, pages 1 and 2 (the printed bill, pages 1 and 2) by striking all of Section 1 thereon and by inserting in lieu thereof the following:

"Section 1. On and after July 1, 1939, the Board of Control of state institutions shall out of its said general maintenance fund provide for a caretaker to reside on the premises of the branch institution of the Soldiers' and Sailors' Home at Milford, Nebraska, heretofore discontinued as such branch institution, for the purpose of maintaining, protecting and keeping in repair and preserving the buildings and grounds of said branch institution during the time said home shall not be used as a state institution.".

2. Amend the original bill, page 1, title, line 2 (the printed bill, page 1, title, line 2) by striking all of said title after the word and punctuation "institutions;" therein and by inserting in lieu thereof the following:

"to require the Board of Control of state institutions to provide for a caretaker for the branch institution of the Soldiers' and Sailors' Home at Milford, Nebraska, heretofore discontinued as a state institution; and to declare an emergency.".

(Signed) Brady, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 41. Placed on Select File with amendments.

E and R amendments to L. B. No. 41:

I. Amend the original bill, page 1, Section 1, line 8 (the printed bill, page 1, Section 1, line 6) by striking therefrom the words "tax payer" therein and by inserting in lieu thereof the word **"taxpayer".**

II. Amend the original bill, page 2, Section 1, line 41; page 3, Section 1, line 45; page 3, Section 1, lines 46 and 47; page 3, Section 1, lines 51 and 52; and page 3, Section 1, line 62 (the printed bill, page 2, Section 1, lines 31, 34, 35, 38 and 46) by striking therein the words **"Board of Education"** in each of said lines respectively and by inserting in lieu thereof the words **"board of education".**

III. Amend the original bill, page 3, Section 1, line 54 (the printed bill, page 2, Section 1, line 40) by striking therefrom the word **"the"** following the word **"to"** and preceding the words **"said primary".**

LEGISLATIVE BILL NO. 47. Placed on Select File with amendments.

E and R amendments to L. B. No. 47:

I. Amend the original bill, page 3, Section 2, line 13 (the printed bill, page 2, Section 2, line 10) by striking therefrom the word "leasor's" and by inserting in lieu thereof the word **"lessor's".**

II. Amend the original bill, page 4, Section 3, line 11 (the printed bill, page 3, Section 3, line 9) by striking therefrom "($100.00)".

LEGISLATIVE BILL NO. 79. Placed on Select File with amendments.

E and R amendments to L. B. No. 79:

I. Amend the original bill, page 5, Section 1, lines 93, 97 and 99 (the printed bill, page 3, Section 1, lines 65, 68 and 69) by striking the word "act" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word **"Act".**

LEGISLATIVE BILL NO. 304. Placed on Select File with amendments.

E and R amendments to L. B. No. 304:

I. Amend the original bill, page 3, Section 1, line 37 (the printed bill, page 2, Section 1, line 25) by striking the word **"State"** therein and by inserting in lieu thereof the word **"state".**

II. Amend the original bill, page 3, Section 2, line 1 (the printed bill, page 1, Section 2, line 1) by inserting after the word "That" and before the word "Section" therein the words "said original".

LEGISLATIVE BILL NO. 235. Placed on Select File with amendments.

E and R amendments to L.B. No. 235:

XXIV. Amend the Engrossed Bill, pages 1, 2 and 3, the original bill pages 1, 2, 3 and 4 (the printed bill, pages 1, 2 and 3) by striking all of Section 1, thereon, and by correlating and amending said Section 1, Legislative Bill No. 235 with Section 2, Legislative Bill No. 483, signed by Governor March 29, 1939 (See Legislative Journal, Sixtieth Day), in manner and form as follows:

"Section 1. That Sec. 66-405, Comp. St. Supp., 1937, as amended by Sec. 2, Legislative Bill No. 483, Fifty-third Session, Nebraska State Legislature, 1939, be amended to read as follows:

66-405. Every dealer who is now engaged or who may hereafter engage, in his own name or in the name of others, or in the name of his representatives or agents in this state, in the sale, distribution and use of motor vehicle fuels, shall render and have on file with the Department of Agriculture and Inspection by the fifteenth day of each calendar month, beginning with the fifteenth day of the first month after this Act shall become effective, on forms prescribed, prepared and furnished by said Department of Agriculture and Inspection, a sworn statement of the number of gallons of motor vehicle fuels, to be based on capacity of container, received, imported and unloaded and emptied or caused to be received or imported and unloaded and emptied by such dealer in the state of Nebraska, and the number of gallons of motor vehicle fuels produced, refined, manufactured, blended or compounded by such dealer within the state of Nebraska, during the preceding calendar month, defining the nature of such motor vehicle fuel which statement shall be sworn to by a resident of the state of Nebraska, who is a principal officer, general agent, managing agent, attorney-in-fact, chief accountant, or owner, and in addition to the tax now provided for by law shall at the time said statement is filed pay a tax of five cents per gallon upon all motor vehicle fuels, as shown by such statement, remitting said tax to said Department of Agriculture and Inspection, who shall receipt the dealer therefor, and pay to the State Treasurer **state treasurer,** daily all of the money, drafts, checks, post-office money orders, express money orders or other mediums of exchange thus received. Such sworn statements shall be entitled to be received in evidence in all courts of this state and shall be **prima facie** evidence of the facts therein stated. The Department of Agriculture and Inspection shall have authority to adjust all errors on payment, and to authorize refund of tax paid on motor vehicle fuel destroyed by fire or act of God, or used and consumed by the United States government or its agencies, and to authorize a refund equal to the per gallon tax imposed by this state on sales of motor vehicle fuels purchased by dealers in this state, on which tax was paid to this state, but such motor vehicle fuels were sold in a state other than Nebraska, and to issue vouchers therefor: **Provided,** such dealers shall be entitled to a shrinkage of three per cent of the number of gallons, to be based on capacity of container, of motor vehicle fuels received or imported, produced, refined, manufactured, blended or compounded by him, as shown by such report, at the point where the car or container comes to rest or is unloaded within the state of Nebraska. If any such dealer neglects or refuses to file the return due for any month, or to pay the tax herein provided, due for any month, within the time prescribed for the filing of such return or the payment of such tax, as above provided, there shall automatically accrue a penalty equal to one-half of one cent on each gallon of motor vehicle fuel received or imported, and unloaded and emptied, produced, refined, manufactured, blended or compounded during the time for which such dealer failed, neglected or refused to file the return or pay such tax, the amount of which penalty shall in no case be less than twenty-five dollars. If no motor vehicle fuel was received or imported and unloaded and emptied, produced, refined, manufactured, blended or compounded, a penalty of twenty-five dollars shall be assessed against such dealer for failure to make a return setting forth such fact: **Provided,** no tax shall be collected from any person, firm or corporation bringing motor vehicle fuel into the state by barge or pipe line, or refining motor vehicle fuel in this state, unless or until said motor vehicle fuel is used at or shipped from the barge line or pipe line terminal of said barge line, or pipe line, or refinery, for consumption within the state of Nebraska, as the case may be; **and provided further,** when such motor vehicle fuel is sold or delivered to a licensed dealer in this state he shall be considered the importer thereof and the tax shall be paid by him; **and provided further,** that such person, firm or corporation owning and operating such refinery, barge line terminal or pipe line terminal shall furnish a cash deposit or surety bond in the sum of fifty thousand dollars, executed by a surety company duly licensed and authorized to do business in the state of Nebraska, for each such refinery, barge line terminal or pipe line terminal within the state of Nebraska, said bond running to the state of Nebraska, and conditioned for the faithful performance of all obligations to the state of Nebraska imposed by law upon said person, firm or corporation; **and provided further,** that such person, firm or corporation shall make and file such verified reports of operations within said state as shall be required by the Department of Agriculture and Inspection of the state of Nebraska; **and provided further,** that the amount of the tax hereby imposed shall be reduced to four cents per gallon after June 30, 1941.

XXV. Amend the General File Amendments, March 31, 1939, amendment 6, line 4 by inserting the punctuation and words **", for roads"** after the syllable **"gram"** and before the adverb **"not"** therein.

XXVI. Amend the original bill, page 8 (the engrossed bill, page 6; the printed bill, page 6) by striking all of Section 4 therein and by inserting in lieu thereof the following:

"Sec. 4. That said original Sec. 66-405, Comp. St. Supp., 1937, as amended by Sec. 2, Legislative Bill No. 483, Fifty-third Session, Nebraska State Legislature, 1939, is hereby repealed; and that said original Secs. 66-411 and 66-416, Comp. St. Supp., 1937, are hereby repealed."

XXVII. Amend the original bill, page 1, title (the engrossed bill, page 1, title; and the printed bill, page 1, title) by striking all of said title after the word "ACT" in line 2 of said title in the original bill (line 2 of the printed bill; and line 1 of the engrossed bill) and by inserting in lieu thereof the following:

"to amend Sec. 66-405, Comp. St. Supp., 1937, as amended by Sec. 2, Legislative Bill No. 483, Fifty-third Session, Nebraska State Legislature, 1939; to amend Secs. 66-411 and 66-416, Comp. St. Supp., 1937, relating to the excise tax levied on the sale and use of motor vehicle fuels; to provide that, until June 30, 1941, one cent per gallon of said tax of five cents per gallon so levied and collected shall be credited to the State Assistance Fund; to provide that fifty per cent of the Gas Tax Fund shall be transferred to the Department of Roads and Irrigation for the uses and purposes specified in said section, and for federal feeder roads and for the incidental costs in connection with the federal aid grade crossing program, for roads not on federal highways, state highways or federal feeder roads; to repeal said original section as amended; to repeal said original sections; and to declare an emergency."

XXVIII. Amend the original bill, page 7, Section 2, lines 110 and 111 (the engrossed bill, page 6, Section 2, line 3; the printed bill, page 5, Section 2, lines 84 and 85) by striking therefrom the following: "subsection (b) of".

(Signed) Klaver, Vice Chairman.
Craven, Chairman.

SELECT COMMITTEE REPORT

Intergovernmental Cooperation

To the members of the Nebraska Unicameral Legislature

Fifty-Third Session

I herewith submit my report, as a representative of this legislature, to the national conference on Inter-State Trade Barriers, held in Chicago, Illinois on April 5, 6 and 7, 1939. There were forty-four states represented at said conference and from one to ten representatives from each state in attendance.

In the beginning, six committees were appointed, namely: Plans and Procedure, Agriculture, Commerce and Industry, Liquor Control, Taxation and Public Relations. Your representative was assigned to the Committee on Agriculture.

While the Resolutions of the several Committees are not available at this time, I will attempt to make a report of the general findings as found by the conference in general session.

One of the main problems which confronted the conference was to determine what is a "Trade Barrier". In the opinion of the writer, and in the opinion of most of those in attendance at this conference, the simplest answer would be that "it is statute regulation or practice which operates, or tends to operate, to the disadvantage of persons, products or commodities coming from sister states, to the advantage of local residents and industries".

It is interesting to note that most all of the so called trade barrier laws have been enacted under four powers, which were delegated or reserved to the states under the federal constitution, these being:

1. The state's police power in the protection of health, which would include the power to quarantine.

2. The power of taxation on the part of the state.

3. Those measures enacted in the alleged interest of public safety and morals.

4. State proprietary powers as to conservation of natural resources and the ownership of public works.

Under the taxation powers reserved to the states, we find many so-called trade barriers being enacted. One of which has come into recent prominence, due to the enactment of the 21st amendment to the Constitution, legalizing the sale of liquor. No less than 23 states have passed preference laws as to crops grown in the respective states which go into the manufacture of liquor. This is done by levying lower license fees on manufacturers who use the local products. Alabama taxes manufacturers of alcoholic beverages $1,000.00 annually, but wine makers using 75% or more of Alabama materials pay $25.00 for each manufacturing plant. Other states, such as Pennsylvania have provided that the excise tax on all liquor be refunded on exports in an amount equal to the tax levied by the state of destination on imports from Pennsylvania, if such state is in competition with them. Seven states charge a higher, or an additional fee for imports into the state than is charged for wholesale or distribution of the local product. The state of Washington has a wholesalers' annual license fee on domestic wine of $50.00, while an importer must pay $150.00. Massachusetts charges wholesalers of foreign beverages, a $300.00 license fee and $100.00 against soliciting of the local products.

In the Agricultural Committee, much discussion was given to considering the differences between the dairying states and the southern states, which produce cotton-seed oil, peanut oil and other products used in the manufacture of oleomargarine. By the use of taxation, it appears that the dairying states have protected their markets by excluding "substitute commodities". It follows, while we might hate to admit it, that when a dairy state seeks to protect butter against oleomargarine from another state, it takes on the aspect of an interstate barrier. The oleomargarine picture shows that twenty-three states have adopted excise taxes ranging from five cents per pound, on uncolored, to fifteen cents per pound on colored oleomargarine. Sixteen states require licenses to engage in the manufacture, distribution, sale, or serving of this product, and the fees for such license range from $1.00 to $1,000.00 per year. In the deep south, with the exception of Oklahoma and Mississippi, oleomargarine which contains cotton-seed oil, peanut oil, soybean oil, oleo, etc., have been exempt from taxation, while several of the cattle producing states, such as Minnesota, Nebraska and Wyoming, tax products not containing 50% butter fat.

All of the members of the southern states were greatly interested in the bill introduced by Senator Neubauer, known as L. B. 398, and were in hopes that this body would pass the same. As explained by the delegates from the south, the only thing the southern farmer has to sell is cottonseed oil, and unless the so-called dairy states, including Nebraska, take off the tax on oleomargarine, these states would, no doubt, enact reprisal laws against products of this section sold in the south. Also that the situation in the cotton markets was such that unless some additional market was given for cotton-seed oil, no doubt great cotton acreages would be abandoned and turned into crops such as those grown in this region.

Motor Vehicles

Perhaps there is no greater problem before the Council of Governments than the motor vehicle laws of the several states. It was the opinion of many of the members that many of the taxes imposed by the several states were perhaps justified for the use of the highways, but when said taxes are pyramided, it constitutes an accumulative burden upon motor vehicles. While many states have a full reciprocity on registration fees, yet the benefit of such provisions depends upon the proximity of such states to each other. Nineteen states require registrations and payments of full fees and taxes on all trucks coming into the state. These fees are usually quite heavy, and these increase sharply with the size of the truck. Looking at the chart, I find that 5T trucks in Illinois pay $30.00 and in Alabama and Georgia, they pay $400.00 and $300.00 in South Carolina. Some states require trucks to pay a mileage tax in lieu of the high license fee, but it is also noticeable that these are often higher for interstate trucks than for intrastate trucks.

Itinerant Trucks

Another so-called burden upon motor vehicle transportation falls upon what we call the itinerant trucker. Many states in the past few years have enacted statutes enlarging the scope of the old peddler laws, to cover the trucker who sells merchandise from his truck.

In Arizona a market trucker must pay a license fee of $200.00 per year in each county, and a wholesale peddler who sells for the purpose of resale must pay a $500.00 license fee in counties of 100,000 in population and $300.00 in counties of less population. In addition, he must post a bond of $5,000.00 with a surety licensed in the state.

Nine of the states exempt the farmer from taxation if he is selling his own products.

Inspection and Quarantine

The Federal Constitution specifically provides that the states may not levy import taxes on products from sister states, but may levy inspection fees. This power has been clarified by the provision that such fees can only be levied when necessary, and that the funds derived therefrom must be turned over to the federal treasury.

In addition to the general taxing powers of the state, the states have more and more restricted the method of inspection, in order to give preference to their own products and to the detriment of the foreign states. Under the power to inspect, the states usually set high standards and by this method exclude those products which cannot meet the standards of inspection, as a condition precedent to the issuance of a license to sell.

In the sale of milk, the states have used the inspection privilege to its fullest extent. Connecticut, Massachusetts and Rhode Island require registration of all dairies before they can supply milk. Pennsylvania and New Jersey provide that no permit to sell milk shall be issued unless the source of supply meets the approval of the inspection.

The State Milk Control Laws came quickly after the decision of the Supreme Court, which declared the milk industry affected the public interest and that the states were empowered to regulate it as a public utility. As a result, much out of state milk has been excluded through a failure or refusal to inspect.

The Connecticut Milk Commission, for example, does not inspect dairies beyond the established milk shed, unless there is a milk shortage or an emergency, and this is a finding of the fact within the discretion of the Milk Board. Furthermore, this milk commission has the power to fix prices for all milk sold in the state, once it is come to rest therein.

Another use of the inspection law, of interest to this state, is that pertaining to livestock and horticultural products. Such products are practically controlled, restricted and distributed by an importing state through this method. Forty-seven of the states have inspection requirements for imported nursery stock, and only six states have a provision for reciprocity. Twenty-eight states require state of origin certificates certifying to pest free and disease free condition of the stock, and in addition. all the states require an inspection after reaching their destination. The perishable nature of these commodities which would await inspection before delivery would cause the loss of much nursery stock.

In the livestock industry, neighboring states require health certificates showing freedom from infectious and contagious diseases. Several states have even used the power of an embargo. Georgia provides that if the Governor thinks the domestic products are sufficient for home demands, he may declare an embargo. Louisiana only recently enacted a retaliatory statute which forbids the sale in Louisiana of products from a state which prohibits the importation of such products from Louisiana. In the liquor industry, nine states have enacted retaliatory legislation against beverages from other states.

Ports of Entry

Some states have established ports of entry as a method of enforcing their laws, regulations, or retaliatory measures against one another. On January 1, 1939, three states had enacted ports of entry laws to enforce their liquor regulations. One state requires liquor shipped through the state to be checked in and out of its boundaries. Nine states have established some form of port of entry and highway checking stations but only four states have definite statutes authorizing such ports.

Kansas has 66, Oklahoma 58, Nebraska 31 and New Mexico 22. Some of these ports of entry not only will be ports utilized for the collection of taxes and fees, but also for the inspection of embargoes of plants, fruits and vegetables.

Summary

The foregoing merely hits a few of the high spots showing the trend of the states in enacting trade barriers. The cause for the enactment of these trade barriers can be attributed solely to the great economic depression, and the activity of pressure groups seeking to protect their own businesses to the detriment of others.

With ten million unemployed in the country, it is natural that in striving to meet the situation, many will advocate the raising of trade barriers in various states, against the production of the other states.

State legislatures have succumbed to the superficial cry of their constituents. If the states continue to enact trade barriers against each other, in a short time the United States will cease to be the greatest area of free trade in the world, and will resemble the situation as exists in the Balkan peninsula.

It is up to the legislatures of the several states to eliminate existing trade barriers, and to see that no others are eretced. If the states fail to do this, the only alternative would be for more centralized and stringent enforcement by the federal government, to eliminate the same.

(Signed) Joseph C. Reavis

RESOLUTIONS

MOTION—To Reconsider Action

Mr. President: I move that we reconsider our action on Legislative Resolution No. 25 pertaining to Interstate Transit Privileges. Miller.

The motion prevailed with 29 ayes, no nays, 14 not voting.

MOTION—To Amend

Mr. President: I move that Legislative Resolution No. 25 be amended as follows:

In paragraph 4, line 4 after the word "1920" insert the following: "March 4, 1927, August 9, 1935 and August 12, 1935". (Signed) Miller.

The motion prevailed.

MOTION—To Adopt Resolution

Mr. President: I move that Legislative Resolution No. 25, as amended, be adopted. Milier.

MOTION—To Indefinitely Postpone

Mr. President: I move that Legislative Resolution No. 25 be indefinitely postponed. Mekota.

The motion to indefinitely postpone was lost with 3 ayes, 20 nays, 20 not voting.

The motion to adopt Legislative Resolution No. 25 as amended prevailed.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 140.

A bill for an Act to amend Section 85-112, Compiled Statutes of Nebraska, 1929, relating to university entrance requirements; to provide for authority of the board of regents in such matters; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 34:

Brady
Brodecky
Callan
Carsten
Craven
Diers
Doyle
Dunn
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reed
Rossiter
Sorrell
Thomas
Thornton
Tvrdik
Von Seggern
Westley

Voting in the negative, 4:

Adams, J. Jr.
Carlson
Schultz
Van Diest

Not voting, 5:

Adams, E. A.
Ashmore
Gantz
Garber
Reavis

A constitutional majority having voted in the affirmative the bill was declared passed and the titled agreed to.

Statement for Journal

Mr. President: I object to the wording in line 12; the word may should be changed to shall. (Signed) Van Diest.

LEGISLATIVE BILL NO. 489. (With emergency clause)

A bill for an Act to amend Sec. 83-964, Comp. St. Supp., 1937, relating to state institutions; to provide for reimbursement and replenishment of the General Fund of the state of Nebraska for the cost of installation of equipment for the purpose of carrying out the provisions of the state-use system of prison employment; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 40:

Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 3:

Adams, E. A.
Craven
Garber

A constitutional two-thirds majority having voted in the affirmative the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 351. (With emergency clause)

A bill for an Act to amend Secs. 68-402 and 68-404, Comp. St. Supp., 1937, relating to public welfare and social security; to provide that blind assistance shall be available to every needy blind person as long as he shall retain legal residence in the state of Nebraska; to provide that such needy blind persons shall not be disqualified as recipients for blind assistance by reason of the fact that they are receiving vocational rehabilitation, medical and surgical care, fuel and food; to prescribe procedure for investigation and hearing upon applications for blind assistance; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 41:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 1: Craven.

Not voting, 1: Garber.

A constitutional two-thirds majority having voted in the affirmative the bill was declared passed with the emergency clause and the title agreed to.

Explanation of Vote

Mr. President: I voted against L. B. No. 351 because it reduces the minimum payment to poor blind persons from $15.00 per month to $5.00 per month. (Signed) George I. Craven.

MOTION—To Lay Over

Mr. Thomas moved that L. B. No. 3 be laid over until Monday.

The motion was lost.

LEGISLATIVE BILL NO. 3. (With emergency clause)

A bill for an Act relating to motor vehicles; to designate requisite brake equipment and lighting equipment for all motor vehicles operated upon highways; to prescribe the duties of the chief officer and all members of the Nebraska Safety Patrol and of all peace officers with respect to the enforcement of this Act; to enumerate the powers granted said officers, and each of them, to accomplish such enforcement; to amend Secs. 39-1169, 39-1122, 39-1174, 39-1176 and 60-421, Comp. St. Supp., 1937; to repeal said original sections; to repeal Secs. 60-435 to 60-444, inclusive, Comp. St. Supp., 1937, relating to compulsory inspection of motor vehicles; to provide penalty for the violation thereof; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 38:

Adams, E. A.
Adams, J. Jr.
Ashmore
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Reavis
Reed
Rossiter
Schultz
Sorrell
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 4:

Brady
Brodecky
Peterson
Thomas

Not voting, 1:

Garber

A constitutional two-thirds majority having voted in the affirmative the bill was declared passed with the emergency clause and the title agreed to.

Explanation of Vote

Mr. President: To require garage owners to make inspections without charge is very unfair and constitutes a serious objection to this act which may endanger the validity of the act.

(Signed)
Frank J. Brady   Carl Peterson
Amos Thomas   Emil E. Brodecky

LEGISLATIVE BILL NO. 492. (With emergency clause)

A bill for an Act to amend Sec. 53-350, Comp. St. Supp., 1937, as amended by Section 1, Legislative Bill No. 52, Fifty-third Session, Nebraska State Legislature, 1939; to provide that manufacturers or distributors at wholesale of alcoholic liquors shall be exempt from the gallonage tax imposed on said liquors, if said liquors were manufactured by them in this state but were shipped by them for sale and consumption outside the state of Nebraska; to direct the uses and purposes to which the net proceeds arising out of gallonage tax to be paid on the manufacture of and the distribution at whole sale of alcoholic liquors shall be put, for the biennium ending June 30, 1941, if and when specifically appropriated by the Legislature; to repeal said original section as amended; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Gantz
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 3:

Dunn
Garber
Gross

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 264. Laid over.

Members Excused

Mr. Brady was excused at 10:50 a. m.

Mr. Ashmore was excused until Monday.

SELECT FILE

Mr. Johnston presiding.

LEGISLATIVE BILL NO. 338. Mr. Peterson moved that L. B. No. 338 be returned to General File for the following specific amendment:

Specific amendment to L. B. No. 338:

1. Amend the printed bill, pages 1 and 2, by striking all of Sections 1, 2 and 3 thereon and by inserting in lieu thereof the following:

"Section 1. That Sec. 68-326, Comp. St. Supp., 1937, be amended to read as follows:

68-326. **The Board of Control of state institutions shall have authority to establish a personnel plan and to establish reasonable rules and regulations governing the administration of said plan as well as all phases of the administration of the state assistance program, and said reasonable rules and regulations shall be binding upon the counties of the state of Nebraska.** The board of county commissioners or supervisors, as the case may be, ~~county treasurer~~ and the county board of public welfare, if now or hereafter lawfully in existence in each respective county of the ~~State~~ **state** of Nebraska, are hereby designated as the County Assistance Committee of each respective county. The County Assistance Committee shall have the powers and duties now or hereafter vested in it by law. It may employ such clerks and assistants as may be necessary to enable it properly to administer its duties, and shall pay such personnel reasonable salaries and wages and necessary expenses; **: Provided, that county employees necessary for the administration of the assistance program shall be selected by the County Assistance Committee in accordance with standards set up for the state by the Board of Control of state institutions;** provided, however, that no more than four per cent of the money allocated for assistance to any county under this Act, plus any available county funds for such purposes, shall be expended for salaries and expenses of administration of such activities in such county; and provided further, that in any county having a population of two hundred thousand or more, no more than five per cent of the money allocated for assistance to such county under this Act, plus any available county funds for such purposes, shall be expended for salaries and expenses of administration of such activities in such county.

Sec. 2. That said original Sec. 68-326, Comp. St. Supp., 1937, is hereby repealed.

Sec. 3. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Amend the printed bill, page 1, title, line 2 by striking all of said title after the word "ACT" therein and by inserting in lieu thereof the following:

"to amend Sec. 68-326, Comp. St. Supp., 1937, relating to public welfare and social security; to provide that the Board of Control of state institutions shall have authority to establish a personnel plan and to establish reasonable rules and regulations governing the administration of said plan as well as all phases of the administration of the state assistance program, and said reasonable rules and regulations shall be binding upon the counties of the state of Nebraska; to remove county treasurers from membership on the County Assistance Committee; to provide that county employees necessary for the administration of the assistance program shall be selected by the County Assistance Committee in accordance with standards set up for the state by the Board of Control of state institutions; to repeal said original section; and to declare an emergency.".

The motion prevailed.

LEGISLATIVE BILL NO. 2. Laid over.

LEGISLATIVE BILL NO. 53. E and R amendments as found in the Legislative Journal for the Seventy-first Day were adopted.

LEGISLATIVE BILL NO. 172. Laid over.

LEGISLATIVE BILL NO. 180. E and R amendments as found in the Legislative Journal for the Seventy-first Day were adopted.

Mr. Van Diest offered the following amendment, which was adopted unanimously:

That in amendment VIII of Enrollment and Review Committee amendments, the word "may", following the word "commission" in line 10 of said amendment be stricken and the word "shall" be substituted therefor.

LEGISLATIVE BILL NO. 240. E and R amendments as found in the Legislative Journal for the Seventy-first day were adopted.

Referred for Engrossment

L. B. No. 53 L. B. No. 180 L. B. No. 240.

GENERAL FILE

President Johnson presiding.

LEGISLATIVE BILL NO. 338. The Specific amendments, offered by Mr. Peterson and found in this day's Legislative Journal were adopted.

Recess

At 12:22 p. m. on motion by Mr. Gross the Legislature recessed until 3:00 p. m.

After Recess

The Legislature reconvened at 3:00 p. m. President Johnson presiding.

The roll was called and all members were present except Messrs. Mischke, Ashmore and Garber who were excused.

Invitation

An invitation was extended to the members of the Legislature, their wives and others to call at the Governor's mansion on Sunday April 16th from three to six o'clock.

UNFINISHED BUSINESS

General File

LEGISLATIVE BILL NO. 338. Mr. Rossiter moved to refer to E and R for review.

Record vote requested.

Voting in the affirmative, 32:

Brady
Brodecky
Gantz
Gutoski
Mekota
Miller
Rossiter
Sorrell

Callan
Carlson
Carsten
Diers
Doyle
Dunn
Hall
Hastings
Howard
Johnson
Johnston
Lambert
Mueller
Neubauer
Norman
Peterson
Reavis
Reed
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 2:

Craven
Klaver

Not voting, 9:

Adams, E. A.
Adams, J. Jr.
Ashmore
Garber
Gross
Herrick
Mischke
Murphy
Schultz

The motion prevailed.

MOTION—To Release Assistance Funds

Mr. President: As the matching of federal funds for assistance for the month of April has been held up, I move that the Director of Assistance be requested to release to the different counties their share of relief funds, out of the state relief funds for assistance, and pay balance when funds are received from the Federal Government. (Signed) Mueller.

No action taken. Laid over until Monday.

REPORT OF STANDING COMMITTEE

Enrollment and Review

LEGISLATIVE BILL NO. 494. Replaced on Select File for the following Specific amendment:

VI. Amend the original bill, page 2, Section 1 (the printed bill, page 1, Section 1) by striking all of the last sentence of said section commencing with the word "Any" in line 12 of the original bill (line 9 of the printed bill) and by inserting in lieu thereof the following:

"The unexpended balance in the State Assistance Fund or the moneys credited to the State Assistance Fund in excess of $7,800,000.00, whichever is the case, computed as of June 30, 1939, subject to all the provisions of Sections 3 and 4 of this Act, shall be reappropriated as the Legislature by law shall hereafter direct.".

VII. Amend the Select File amendments, adopted April 7, 1939, page 1, amendment 3, line 9, by striking therefrom "August 1" and by inserting in lieu thereof "June 30".

SELECT FILE

LEGISLATIVE BILL NO. 494. The Specific amendment above set out was adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL NO. 389. Mr. Schultz offered the following amendment which was adopted:

Line 24, Sec. 2, page 3, following the word "derived" insert "as charity".

Mr. Mekota offered the following amendment which was adopted:

That Section 1, line 3 of mimeographed bill No. 389 be amended by adding after the word "while" and before the word "retaining" the following words: "residing in and" and to amend the title to conform therewith.

Mr. Howard offered the following amendment:

Page 3, mimeographed bill, lines 24 and 25, strike out "except that derived as charity from fraternal and charitable organizations other than private source".

The Chair announced the amendment adopted.

Mr. Schultz appealed from the decision of the Chair.

Vote was taken on the appeal and the Chair was sustained with 18 ayes, 16 nays, 9 not voting. Amendment adopted.

Mr. Mekota offered the following amendment which was adopted:

That Sec. 3, page 4 of mimeographed bill No. 389, line 2 of the underscored matter be amended by striking all of the words after the word "owned", down to and including the word "persons" in line 3 of said underscored matter, and inserting in lieu thereof the words "the recipient of such assistance".

Referred to E and R for review.

MOTION—To Submit Amendment for Consideration

Mr. President: I move that the Craven amendment to L.B. No. 338 be submitted to the Assistance Committee to be submitted to the proper Social Security officials for approval or rejection. (Signed) Gantz.

The motion prevailed.

The Craven amendment above mentioned follows:

To amend L.B. No. 338 by inserting the following words after the Peterson amendment, to-wit: "By the words 'to establish a personnel plan' is meant that the Board of Control of state institutions shall have power: (1) To fix minimum standards of service and personnel based upon education, training, previous experience, and general efficiency which must be attained by persons appointed to the positions to be filled in the state and county departments. (2) To administer and make effective rules and regulations governing personnel administration in the state and counties, including the preparation and administration of classification and compensation plans and prescribe the objective method of selection."

MOTION—To Suspend Rules and Introduce Bill

Mr. President: I move to suspend the rules and introduce a bill relating to legislative expense. Brady.

The motion prevailed with 35 ayes, no nays, 14 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 516. By Committee on Appropriations.

A bill for an Act to amend Section 1, Legislative Bill No. 8, Fifty-third Session, Nebraska State Legislature, 1939, relating to the payment of compensation of officers and employees of the Legislature, traveling expenses of members, the payments to be made for supplies and other incidental expenses incurred during the Fifty-third Session, Nebraska State Legislature, during the biennium ending June 30, 1939, and for ad interim activities of said Legislature during the biennium ending June 30, 1941; to appropriate the sum of $53,022.89 therefor; to repeal said original section; and to declare an emergency.

MOTION—To Suspend Rules and Read Bill Second Time

Mr. President: I move to suspend the rules and read Legislative Bill No. 516 the second time now. Brady.

The motion prevailed with 33 ayes, no nays, 10 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title see Bills on First Reading)

LEGISLATIVE BILL NO. 516. Referred to Committee on Appropriations.

NOTICE OF COMMITTEE HEARING

Appropriations

L. B. No. 516, Wednesday, April 19, 1939, 2:00 p. m.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL NO. 494. Correctly engrossed.

(Signed) Craven, Chairman.

Adjournment

At 5:06 p. m. on motion by Mr. Klaver the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SEVENTY-THIRD DAY

Legislative Chamber,
Lincoln, Nebraska, April 17, 1939.

The Legislature met at 9:00 a. m. Speaker Diers presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Seventy-second Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Diers, one, requesting that the present tax base be widened in order to continue financial support of public education; Omaha members, one opposing L. B. No. 374 and L. B. No. 373; Mr. Tvrdik, one opposing L. B. No. 374; Mr. Carsten, one, opposing L. B. No. 185 and one favoring L. B. No. 44; Mr. Sorrell, one, favoring L. B. No. 56; Mr. Johnston, one, favoring L. B. No. 212; Mr. Rossiter, one, favoring L. B. No. 185 and one opposing L. B. No. 324; all members, two, opposing L. B. No. 185.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL NO. 58. Placed on General File.

LEGISLATIVE BILL NO. 307. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 307:

1. Amend the printed bill, pages 1, 2, 3 and 4 (the original bill, pages 1, 2, 3, 4 and 5) by striking all of Sections 1 to 8 inclusive thereon and by inserting in lieu thereof the following:

"Section 1. From and after the effective date of this Act the functions, powers and duties of the Department of Insurance, the Director of Insurance and the Assistant Director, Department of Insurance, administering and performing the powers, authorities and duties entrusted to the Bureau of Securities, Department of Insurance, as set forth in Article 54, Chapter 81, Compiled Statutes of Nebraska, 1929, as amended, and as set forth in Article 54, Chapter 81, Comp. St. Supp., 1937, as now existing, or as hereafter amended, pertaining to the administration of the **Blue Sky Law,** are hereby directed to be merged and consolidated with those functions, powers and duties exercised by the Department of Banking, its Director of Banking and its Superintendent of Banks.

Sec. 2. The Department of Banking shall, from and after the effective date of this Act, have general supervision and control of the administration and enforcement of all laws affecting securities, cited as the **Blue Sky Law.** The Department of Banking shall succeed to all rights, powers, duties and responsibilities of the Department of Insurance, Bureau of Securities, as it now exists, and, as such, shall be entitled to all the records, books, files and papers thereof; and shall, through its Director of Banking or its Superintendent of Banks exercise all those powers and discharge all those duties of the Department of Insurance, Bureau of Securities, which are recited in the statutes mentioned in the preceding section, as now existing, or as hereafter amended. The Department of Banking shall have vested to it all the powers now vested in the Department of Insurance, Bureau of Securities, under the laws of this state. Whenever, in any of said laws, the words **Department of Insurance** are used, they shall be construed to mean **Department of Banking;** and whenever in said laws the word **Director** or the words **Assistant Director** or **Director of Insurance** or words of similar import are used from and after the effective date of this Act, said words shall be construed to mean **Director of Banking** or the **Superintendent of Banks.** The Department of Banking shall hereafter administer the provisions of all laws mentioned in the preceding section affecting securities, within such appropriation as the Legislature shall from time to time provide for the current biennium or for any succeeding biennium.

Sec. 3. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law."

2. Amend the printed bill, page 1, title, (the original bill, page 1, title, line 2), by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"relating to state administrative departments; to merge and consolidate, from and after the effective date of this Act, the functions, powers and duties of the Bureau of Securities of the Department of Insurance with the Department of Banking; to provide that the Department of Banking hereafter shall administer and enforce the provisions of the Blue Sky Law; and to declare an emergency."

LEGISLATIVE BILL NO. 416. Placed on General File.

LEGISLATIVE BILL NO. 497. Placed on General File.
(Signed) Von Seggern, Chairman.

Judiciary

LEGISLATIVE BILL NO. 509. Placed on General File with amendments.

(Standing Committee amendments mimeographed in lieu of printing in Journal.)

(Signed) Thomas, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 192. Placed on Select File with amendments.

E and R amendments to L. B. No. 192:

I. Amend the original bill, page 1, title, line 7 (the printed bill, page 1, title, line 5) by striking the word "River" therein and by inserting in lieu thereof the word "river".

II. Amend the original bill, page 2, Section 1, line 9 (the printed bill, page 1, Section 1, line 7) by striking the word "River" therein and by inserting in lieu thereof the word "river".

III. Amend the original bill, page 2, Section 2, line 2 (the printed bill, page 2, Section 2, line 1) by striking the word "Governor" therein and by inserting in lieu thereof the word "governor".

Correctly Enrolled

L. B. No. 489	L. B. No. 351	
L. B. No. 492	L. B. No. 140	L. B. No. 3

(Signed) Craven, Chairman.

Speaker Signs.

While the Legislature was in session and capable of transacting business, the Speaker signed:

L. B. No. 489	L. B. No. 351	
L. B. No. 492	L. B. No. 140	L. B. No. 3

MOTION—To Place on General File

Mr. President: I move that L. B. No. 362 be returned to General File for the following specific amendment. (Signed) Craven.

Specific amendment to L. B. No. 362:

I. Amend the original bill, page 1 (the printed bill, pages 1 and 2) by striking all of Sections 1, 2 and 3 thereon and by inserting in lieu thereof the following:

"Section 1. Every contract or agreement for the sale, assignment of the wages or earnings of the head of a family shall be void unless such contract, agreement, assignment or transfer shall be executed and acknowledged by both husband and wife in the same manner that conveyances of real estate are required to be signed and acknowledged by the laws of this state. It shall be unlawful for any person, firm, corporation, company, partnership or business institution to cause any employer, by any such void assignment, or by notice of any such void assignment, to withhold the payment of any wages due the head of a family. Any person, firm, corporation, company, partnership or business institution that shall violate any of the provisions of this section, shall be liable to the party injured through such violation thereof for the amount of the wages withheld by any employer under such void assignment or notice of such void assignment with all cost and expenses and a reasonable attorney's fee, to be recovered in any court of competent jurisdiction in this state; and shall further be deemed guilty of a misdemeanor, and, upon conviction thereof, shall, for each offense, be fined in any sum not exceeding two hundred dollars, and shall be adjudged to stand committed until said fine and costs of prosecution be paid, secured or otherwise discharged according to law.

Sec. 2. That Section 36-203, Compiled Statutes of Nebraska, 1929, is hereby repealed.".

II. Amend the original bill, page 1, title, line 2 (the printed bill, page 1, title, line 2) by striking all of said title after the word "ACT" therein and by inserting in lieu thereof the following:

"relating to contracts or agreements for the sale, assignment or transfer of wages, earnings or salaries of heads of families; to provide that said contracts or agreements shall be void unless executed by both the husband and wife; to provide that no person, firm, corporation, company, partnership or business institution shall cause any employer, by any such void assignment, to withhold the payment of any wages due the head of a family; to provide penalties for the violation thereof; and to repeal Section 36-203, Compiled Statutes of Nebraska, 1929.".

The motion prevailed.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 264. (With emergency clause.)

A bill for an Act relating to revenue; to provide that any payments which have heretofore been made under the provisions of Section 1, Chapter 156, Session Laws of Nebraska, 1935, and under Section 1, Chapter 15, Session Laws of Nebraska, 1935, special, shall be construed to be payment under the provisions of Chapter 167, Session Laws of Nebraska, 1937, as amended by Legislative Bill No. 14, Nebraska State Legislature, Fifty-third Session, 1939; to direct that county treasurers of the several counties shall administer said payments as such; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 33:

Adams, J. Jr.
Ashmore
Brady
Brodecky
Carlson
Craven
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Murphy
Neubauer
Peterson
Reed
Rossiter
Schultz
Thomas
Thornton
Tvrdik
Von Seggern
Westley

Voting in the negative, 4:

Carsten	Diers	Mischke	Van Diest

Not voting, 6:

Adams, E. A.	Mueller	Reavis	Sorrell
Callan	Norman		

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL NO. 172. Laid over one day.

LEGISLATIVE BILL NO. 41. E and R amendments as found in the Legislative Journal for the Seventy-second Day were adopted.

LEGISLATIVE BILL NO. 47. E and R amendments as found in the Legislative Journal for the Seventy-second Day were adopted.

LEGISLATIVE BILL NO. 79. E and R amendments as found in the Legislative Journal for the Seventy-second Day were adopted.

LEGISLATIVE BILL NO. 304. E and R amendments as found in the Legislative Journal for the Seventy-second Day were adopted.

LEGISLATIVE BILL NO. 235. Laid over.

Referred for Engrossment

L. B. No. 41

L. B. No. 47

L. B. No. 304

L. B. No. 79

SELECT FILE

LEGISLATIVE BILL NO. 2. Mr. Craven moved that L. B. No. 2 be placed on General File for the following specific amendment:

"To amend L. B. No. 2, unofficial mimeograph copy, April 10, 1939, page 2, Section 2, line 17, by striking therefrom the words "and supplies" following the word "products" and preceding the word "from".

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL NO. 2. The above specific amendment, offered by Mr. Craven was considered.

Mr. Craven moved reconsideration of the action of the Legislature on his motion to return L. B. No. 2 to General File for specific amendment.

The motion prevailed with 29 ayes, 3 nays, 11 not voting.

Mr. Craven then moved that the rules be suspended and that L. B. No. 2 be returned to General File for further consideration.

The motion prevailed with 30 ayes, 5 nays, 8 not voting.

Mr. Craven withdrew his specific amendment.

Mr. Gantz offered the following amendment, which was adopted with 27 ayes, no nays, 16 not voting:

Amend Sec. 2, L. B. No. 2 by adding after the word "supplies" in line 17 the words "for use on said ranch, farm or dairy,"

Mr. Howard offered the following amendment, which was adopted:

Amend L. B. No. 2, page 2, mimeographed bill, by striking the amendment adopted April 10, (Legislative Journal, Sixty-eighth Day) and inserting after subsection (d) in section 2 subsection (e) "No provisions of this act or order of the Commission shall apply to star route carriers employed by the post office department of the United States while operating a motor vehicle not exceeding one-half ton rated manufacturers capacity on their regular routes".

Mr. Brady was excused at 10:50 a. m.

Mr. Hall offered the following amendments which were adopted with 15 ayes, 7 nays, 21 not voting:

That the present Section 3 be stricken and there be added in lieu thereof the following:

Section 3. That Section 75-226, Comp. St. Supp., 1937, be amended to read as follows:

"75-226, MOTOR CARRIERS, PERMIT, APPLICATION FEE, ANNUAL FEE, MOTOR CARRIER FUND, CREATION, HOW USED. For the purpose of sustaining the administration and enforcement of this Act, there is hereby fixed an application fee of ~~Five Dollars ($5.00)~~ Seven and 50/100 Dollars ($7.50) payable by applicant at the time of filing application or before certificate or permit shall be issued, and, in addition thereto, every motor carrier subject to the provisions of this Act, shall pay an annual fee not exceeding the sum of ~~Five Dollars ($5.00)~~ Seven and 50/100 Dollars ($7.50) for each motor vehicle operated, and which fee shall be fixed by the Commission and shall not exceed the amount actually necessary to sustain the administration and enforcement of this Act. Such annual fees shall be due and payable on or before January first of each year after such permit or certificate shall have been issued. Such fees shall be paid to and collected by the Commission and deposited with the state Treasurer within thirty days from the receipt thereof. The money so received into the state treasury shall be set aside as a special fund designated "Motor Carrier Fund," and it is hereby made available for the purpose of sustaining the administration and enforcement of this Act during any biennium, if and when specifically appropriated by the Legislature to the uses and purposes of said fund. (1937. p. 530.)"

That the present Section 4 be stricken and that there be inserted in lieu thereof the following:

"Section 4. That said original sections 75-223, 75-224, and 75-226, Comp. St. Supp., 1937, are hereby repealed."

Section 5. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law.

And renumber sections accordingly.

Mr. Doyle offered the following amendment, which was adopted with 12 ayes, 6 nays, 25 not voting:

Amend subsection (g) of Section 1 by striking out the words **"tractor and"** following the word or and before the words semi-trailer.

Mr. Van Diest offered the following amendment which was adopted:

That all amendments to L. B. No. 2 be stricken and that the title be amended to define the following section that shall follow Section 1:

"That inasmuch as the Legislature may provide such rules and regulations for common carriers that no such rules and regulations for any common carriers shall be in effect until such time as any successive

Legislature may again so empower them to do as provided for in Article IV, Section 20 of the Constitution of the State of Nebraska."

Mr. Reavis moved that the Legislature reconsider its action on Mr. Gutoski's motion of the Sixty-ninth Day to hold afternoon sessions starting Monday, April 17th.

The motion prevailed with 35 ayes, 2 nays, 6 not voting.

Mr. Hastings moved to advance L. B. No. 2 to E and R for review.

Mr. Hall moved that L. B. No. 2 be laid over one day.

The Hall motion prevailed.

LEGISLATIVE BILL NO. 270. Laid over.

LEGISLATIVE BILL NO. 2.

Mr. Gutoski moved to reconsider the Hall motion to lay over L. B. No. 2.

The motion prevailed with 23 ayes, 11 nays, 9 not voting.

Mr. Hall withdrew his motion to lay over one day.

At 1:03 p. m. Mr. Gantz moved that the Legislature continue work on L. B. No. 2.

The motion prevailed with 25 ayes, 10 nays, 8 not voting.

Mr. Gantz moved that the action of the Legislature in adopting the Van Diest amendment be reconsidered.

The motion prevailed with 32 ayes, 1 nay, 10 not voting.

Mr. Van Diest withdrew his amendment.

Adjournment

At 1:10 p. m. on motion by Mr. Van Diest the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SEVENTY-FOURTH DAY

Legislative Chamber,
Lincoln, Nebraska, April 18, 1939.

The Legislature met at 9:03 President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Seventy-third Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Carsten, one, opposing L. B. No. 185, one, opposing L. B. No. 381, one, favoring L. B. No. 56; all members, eleven, opposing L. B. No. 185, five, favoring L. B. No. 168 and 170, one, favoring L. B. No. 167, one, requesting a pension of $30.00 a month for all persons over the age of sixty-five years.

Communications

A letter was read from H. W. Dorsey, acting secretary of the Smithsonian Institution, acknowledging receipt of a copy of Resolution No. 22, regarding the First Living Christmas Tree.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 338. Placed on Select File with amendments.

E and R amendments to L. B. No. 338:

V. Amend General File Amendment No. 1, line 30 (the unofficial copy, page 2, Section 1, line 26) by inserting the word "**inhabitants**" after the word "thousand" and before the word "or".

Correctly Engrossed

L. B. No. 304 L. B. No. 79 L. B. No. 47 L. B. No. 240
L. B. No. 180 L. B. No. 41 L. B. No. 53

Correctly Enrolled

L. B. No. 264.

(Signed) Craven, Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill No. 264.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 494. (With emergency clause)

A bill for an Act to amend Sec. 68-317, Comp. St. Supp., 1937; to amend paragraph 1, Section 49, Chapter 193, Session Laws of Nebraska, 1937; and to amend Sections 1 and 2, Legislative Bill No. 13, Fifty-third Session, Nebraska State Legislature, 1939, relating to the State Assistance Fund; to limit appropriations for the uses and purposes of said fund for the biennium beginning July 1, 1937 and ending June 30, 1939 to $7,800,000.00 and any moneys inuring to said fund from all sources as may now or hereafter be provided by law; to provide that the Board of Control of state institutions shall reimburse and replenish, subsequent to August 1, 1939, as the Legislature by law shall hereafter direct, the Gasoline Highway Fund of the state of Nebraska for any moneys in excess of $7,800,000.00 inuring to the State Assistance Fund between the effective date of this Act and June 30, 1939, arising out of any moneys credited to the State Assistance Fund in excess of ten per cent of said Gasoline Highway Fund; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 41:

Adams, E. A.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 2:

Adams, J. Jr.
Rossiter

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—To Amend

Assistance Funds

Mr. President: I move that my motion, offered on the Seventy-second Day be amended as follows: In line 3, after the word "release" insert the words "if possible". Mueller.

The amendment was adopted.

The motion as amended prevailed.

SELECT FILE

LEGISLATIVE BILL NO. 172. E and R amendments as found in the Legislative Journal for the Seventy-first Day were adopted.

Laid over one day.

LEGISLATIVE BILL NO. 235. E and R amendments as found in the Legislative Journal for the Seventy-second Day were adopted.

MOTION—To Suspend Rules

Mr. President: I move to suspend Section 7 of Rule VII and Section 6 of Rule XIV in the consideration of L. B. No. 235. (Signed) Craven.

The motion prevailed with 34 ayes, no nays, 9 not voting.

LEGISLATIVE BILL NO. 192. E and R amendments as found in the Legislative Journal for the Seventy-third Day were adopted.

Referred for Engrossment

L. B. No. 235 L. B. No. 192

MOTION—To Suspend Rules

Mr. President: I move to suspend rule "g" under 8 of Rule XIII and consider L. B. No. 338 on Select File forthwith. (Signed) Craven.

The motion prevailed with 35 ayes, no nays, 8 not voting.

SELECT FILE

LEGISLATIVE BILL NO. 338. E and R amendments as found in this day's Legislative Journal were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL NO. 2. Mr. Herrick moved that L. B. No. 2 be advanced to E and R for review.

Mr. Von Seggern moved to indefinitely postpone.

The motion to indefinitely postpone was lost with 4 ayes, 25 nays, 14 not voting.

Mr. Mekota moved that the bill be laid over one day and retain its place on General File. The motion prevailed.

Laid over one day.

LEGISLATIVE BILL NO. 362. Placed at the head of General File.

Specific amendments as found in the Legislative Journal for the Seventy-third Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 162. John Adams, Jr. moved to indefinitely postpone.

The motion prevailed.

LEGISLATIVE BILL NO. 265. Mr. Schultz moved to indefinitely postpone.

The motion prevailed.

LEGISLATIVE BILL NO. 270. Referred to E and R for review.

LEGISLATIVE BILL NO. 141. Mr. Doyle moved to indefinitely postpone.

After discussion, Mr. Sorrell moved the previous question.

The motion prevailed.

The motion to indefinitely postpone prevailed with 27 ayes, 10 nays, 6 not voting.

LEGISLATIVE BILL NO. 238. Mr. Dunn moved to indefinitely postpone.

The motion prevailed.

LEGISLATIVE BILL NO. 451. Laid over.

LEGISLATIVE BILL NO. 390. Mr. Van Diest moved to adopt the Standing Committee amendments.

Laid over.

LEGISLATIVE BILL NO. 471. Laid over. Retains place on file.

LEGISLATIVE BILL NO. 460. Passed over.

LEGISLATIVE BILL NO. 461. Read and considered.

Mr. Brady moved to advance to E and R for review.

No action taken.

Adjournment

At 1:00 p. m. the President announced the Legislature adjourned, as provided by the rules.

Hugo F. Srb
Clerk of the Legislature.

SEVENTY-FIFTH DAY

Legislative Chamber,
Lincoln, Nebraska, April 19, 1939.

The Legislature met at 9:05 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Seventy-fourth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Carsten, three, opposing L .B. No. 185, one, favoring L. B. No. 185; Omaha members, one, opposing L. B. No. 373 and L. B. No. 374; all members, seven, opposing L. B. No. 185, two, favoring L. B. No. 168 and L. B. No. 170, one, favoring L. B. No. 444, one, regarding old age assistance.

Invitations

A letter was read from the Nebraska Pharmaceutical Association extending an invitation to the members of the Legislature and their wives to be guests of that association at their annual banquet Wednesday evening, April 18th at the Cornhusker Hotel.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 130. Placed on Select File.

LEGISLATIVE BILL NO. 344. Placed on Select File with amendments.

E and R amendments to L. B. No. 344:

I. Amend the original bill, page 2, Section 1, line 39 by striking the word "addtion" therein and by inserting in lieu thereof the word "addition".

II. Amend the original bill, page 3, Section 1, line 57 (the printed bill, page 2, Section 1, line 43) by deleting all quotation marks therein and by striking the punctuation "," after the word "water".

III. Amend the original bill, page 3, Section 1, line 62 (the printed bill, page 2, Section 1, line 46) by removing all quotation marks therein.

IV. Amend the original bill, page 4, Section 1, line 94 (the printed bill, page 3, Section 1, line 70) by striking the words "Malted Milk" therein and by inserting in lieu thereof the words "malted milk".

V. Amend the original bill, page 5, Section 2, line 16 (the printed bill, page 4, Section 2, lines 12 and 13) by striking the word "dessert" therein and by inserting in lieu thereof the word "desserts".

VI. Amend the original bill, page 7, Section 5, lines 7 and 10 (the printed bill, page 5, Section 5, lines 5 and 7) by striking the word "Bureau" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word "bureau".

VII. Amend the original bill, page 8, Section 6, line 16 (the printed bill, page 5, Section 6, lines 11 and 12) by striking the word "Milk" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word "milk".

VIII. Amend the original bill, page 8, Section 6, line 18 (the printed bill, page 5, Section 6, line 13) by striking therefrom the figures "24" and by inserting in lieu thereof the word "twenty-four".

IX. Amend the original bill, page 8, Section 8, line 13 (the printed bill, page 6, Section 8, line 10) by striking the punctuation "," after the word "mix" therein.

X. Amend the original bill, page 9, Section 9, lines 8 and 9 (the printed bill, page 6, Section 9, lines 6 and 7) by striking the punctuation "," after the words "grounds" and "mix" in each of said lines respectively.

XI. Amend the original bill, page 9, Section 9, line 13 (the printed bill, page 6, Section 9, line 11) by striking the punctuation "," after the word "surroundings" therein.

XII. Amend the original bill, page 9, Section 10, line 5 (the printed bill, page 6, Section 10, line 4) by striking the words "factory filled" therein and by inserting in lieu thereof the word "factory-filled".

XIII. Amend the original bill, page 9, Section 10, line 6 (the printed bill, page 6, Section 10, line 5) by striking therefrom the words "Factory filled" therein and by inserting in lieu thereof the word "Factory-filled".

XIV. Amend the original bill, page 10, Section 11, line 31 by striking the punctuation "," therein.

XV. Amend the original bill, page 10, Section 11, line 46 (the printed bill, page 7, Section 11, line 35) by striking the punctuation "." therein and by inserting in lieu thereof the punctuation ":"; and also in said line 46 of the original bill, (line 36 of the printed bill) strike the punctuation ":" therein and insert in lieu thereof the punctuation ",".

XVI. Amend the original bill, page 11, Section 13, line 3 (the printed bill, page 8, Section 13, line 2) by inserting the word "deemed" after the word "be" and before the word "guilty"; and also in line 3 of said section of the original bill (line 3 of the printed bill) insert the punctuation "," after the conjunction "and" and before the preposition "upon" therein.

LEGISLATIVE BILL NO. 175. Placed on Select File with amendments

E and R amendments to L. B. No. 175:

I. Amend the original bill, page 1, Section 1, line 5; page 2, Section 1, lines 8, 11 and 20; page 2, Section 2, lines 9, 13 and 14; page 3, Section 2, line 25; (the printed bill, pages 1 and 2, Section 1, lines 5, 7, 9 and 16; page 2, Section 2, lines 8, 10, 11 and 19) by striking the word "Department" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word **"department"**.

II. Amend the original bill, page 2, Section 1, line 7 (the printed bill, page 1, Section 1, line 6) by striking the word "State" therein and by inserting in lieu thereof the word **"state"**.

III. Amend the original bill, page 2, Section 1, line 16 (the printed bill, page 1, Section 1, line 13) by striking the punctuation "." therein and by inserting in lieu thereof the punctuation ":".

IV. Amend the original bill, page 2, Section 1, line 19 (the printed bill, page 1, Section 1, line 15) by inserting before the word "except" therein the words and punctuation **"as amended,"**.

V. Amend the original bill, page 3, Section 2, line 18 (the printed bill, page 2, Section 2, line 14) by inserting before the word "may" therein the following:

"as amended,".

VI. Amend the original bill, page 3, Section 3, lines 2 and 6 (the printed bill, page 2, Section 3, lines 1, 2 and 4) by striking the word "which" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word "that".

VII. Amend the original bill, page 4, Section 4, line 8 (the printed bill, page 3, Section 4, line 6) by striking the first punctuation "." therein and by inserting in lieu thereof the punctuation ":"; and in line 13 of said Section 4 of the original bill (line 10 of the printed bill) strike the punctuation "." and insert in lieu thereof the punctuation ":".

VIII. Amend the original bill, page 4, Section 4, lines 15, 17 and 21 (the printed bill, page 3, Section 4, lines 11, 13 and 16) by striking the subsection symbols "c.", "d." and "e.", wherever the same appear in each of said lines respectively and by inserting in lieu thereof the following:

"(1)", "(2)" and "(3)".

IX. Amend the original bill, page 4, Section 4, line 17 (the printed bill, page 3, Section 4, line 13) by striking the word "preceeding" and by inserting in lieu thereof the word "preceding".

X. Amend the original bill, page 1, title, lines 7 and 8 (the printed bill, page 1, title, lines 4, 5 and 6) by striking therefrom the words and punctuation as follows:

"to provide for gratuitous vaccination of animals belonging to indigent owners;";
and in line 10 of said title to the original bill (line 6 of the printed bill) strike the word "such" therein.

XI. Amend Standing Committee Amendments, No. 2, line 8, by striking the word "Department" and inserting in lieu thereof the word "department".

LEGISLATIVE BILL NO. 131. Placed on Select File with amendments.

E and R amendments to L. B. No. 131:

I. Amend the original bill, pages 1, 2, 3, 4 and 5 (the printed bill, pages 1, 2, 3 and 4) by striking all of Sections 1 and 2 thereon, for the purpose of correlating said bill with Section 1, Legislative Bill No. 23, Fifty-third Session, Nebraska State Legislature, 1939, and by inserting in lieu thereof the following:

"Section 1. That Sec. 26-108, Comp. St. Supp., 1937, as amended by Section 1, Legislative Bill No. 23, Fifty-third Session, Nebraska State Legislature, 1939, be amended to read as follows:

26-108. It shall be the duty of the county board of each county: First. To cause to be annually levied and collected taxes authorized by law for county purposes, not exceeding fifty cents on the one hundred dollars actual valuation, **except in any county in which a health district has been duly constituted and has not been dissolved. In such last named counties the tax so levied shall not exceed forty cents on the one hundred dollars' actual valuation. An additional amount may be levied in any county if** unless authorized by a vote of the people of the county. Second. To erect or otherwise provide a suitable court house, jail and other necessary county buildings, and for that purpose to borrow money and issue the bonds of the county to pay the same; to keep the said buildings in repair and to provide suitable rooms and offices for the accommodation of the several courts of record, compensation court or any member thereof, the Commissioner of Labor for the conduct and operation of the state free employment service, the county board, clerk, treasurer, sheriff, clerk of the district court, county superintendent, county surveyor, county agricultural agent and county attorney (provided the county attorney shall hold his office at the county seat), and suitable furniture therefor. But no appropriation exceeding fifteen hundred dollars shall be made for the erection of any county building except as hereinafter provided, without first submitting the proposition to a vote of the people of the county at a general election or a special election ordered by said board for that purpose, and the same is ordered by a majority of the legal voters thereon: Provided, that the county board of any county in this state is hereby authorized and empowered, when requested so to do by a petition signed by at least fifty-five per cent of the legal voters in said county, based on the average vote of the two preceding general elections, to make an annual levy not exceeding five mills upon the dollar on all taxable property in said county for the purpose of providing a fund for the erection of a court house or jail, said fund to be used only in the construction of a court house or jail or to pay the expenses of tearing down an existing court house or jail or making improvements thereon: provided further, the total estimated amount to be raised by such special levy shall not exceed the sum of one hundred thousand dollars and said levy may be spread oved a term of years not exceeding five to produce such sum; provided further, that in counties having no bonded indebtedness, the county board, without the filing of such petition may levy a tax of not to exceed one and one-half mills per year for not exceeding two years for the purpose of providing a fund for the erection or repair of a jail or court house and procuring a site therefor, but in no case shall the levy of taxes made by the county board for all purposes, including the taxes levied herein provided for the erection or repair of a court house or jail, exceed in any one year the sum of fifty cents on one hundred dollars of the assessed valuation of said county. Third. To provide and keep in repair, when the finance of the county will permit, suitable fireproof safes for the county clerk and county treasurer. Fourth. To provide suitable books and stationery for the use of the county board, county clerk, county treasurer, county judge, sheriff, clerk of the district court, county superintendent, county surveyor and county attorney. Fifth. To cause to be published at the close of each annual regular or special meeting of the board, a brief statement of the proceedings thereof in one newspaper of general circulation published in the county, and also their proceedings upon the equalization of the assessment roll; ~~provided~~ : **Provided,** no publication in a newspaper shall be required unless the same can be done at an expense not exceeding one-third of the legal rate for advertising notices. Sixth. At their regular meeting in January of each year to prepare an estimate of the necessary funds for the mothers' pension fund of the county for the ensuing year, the total of which shall not exceed the amount authorized by law to be levied during that year for the mothers' pension fund, and such estimate, shall be entered at large upon their records and published three successive weeks before the levy for that year in some newspaper published and of general circulation in the county, or if none is published, then in some newspaper of general circulation there, and no levy of taxes shall be made for said mothers' pension fund except as specified in such estimate as published but the amount of such mothers' pension fund may be reduced at the time the levy is made. No levy of taxes for county purposes shall be made by the county board for any other purpose or amounts except as specified in the budget adopted by the county board prior to the making of such levy, except for the mothers' pension fund. If any levy shall be made in excess of the amounts provided in said budget, the tax shall not therefor be void, but the members of the county board and their sureties shall be jointly and severally liable upon their official bonds for the full amount of such excesses, which shall be collected by civil action, as in other cases for the use of the school fund of the county. If the members of said board neglect to comply with any other provisions of this section, the tax shall not therefor be void, but they shall each be liable to a penalty of five hundred dollars, to be recovered by civil action as in other cases, for the use and support of the common schools in the county. Seventh. In all cases where any bridge or any public building, the property of any county within this state, shall be injured or destroyed by any person or persons, either negligently, carelessly or wilfully, and maliciously, it shall be the duty of the county board of the proper county, for and in the name of the county to sue for and recover such damages as shall have occurred by reason thereof, and the money so recovered shall be paid into the treasury of the proper county, and by the treasurer be credited to the fund out of which such bridge or building was constructed or repaired.

Sec. 2. That said original Sec. 26-108, Comp. St. Supp., 1937, as amended by Section 1, Legislative Bill No. 23, Fifty-third Session, Nebraska State Legislature, 1939, is hereby repealed.

Sec. 3. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law."

II. Amend the original bill, page 1, title, line 2 (the printed bill, page 1, title, line 2) by striking all of said title after the word "ACT" and by inserting in lieu thereof the following:

"to amend Sec. 26-108, Comp. St. Supp., 1937, as amended by Section 1, Legislative Bill No. 23, Fifty-third Session, Nebraska State Legislature, 1939, relating to county government and officers; to provide the maximum annual levy in any county in which a health district shall have been duly constituted and shall not have been dissolved; to repeal said original section; and to declare an emergency.".

LEGISLATIVE BILL NO. 362. Placed on Select File.

LEGISLATIVE BILL NO. 270. Placed on Select File with amendments.

E and R amendments to L. B. No. 270:

I. Amend the original bill, page 2, Section 1, line 9 (the printed bill, page 1, Section 1, line 7) by inserting after the word "each" and before the word "shall" therein the following:

"dependent child".

II. Amend the original bill, page 3, Section 2, line 23 (the printed bill, page 2, Section 2, line 17) by inserting after the figures "1937" therein the following:

", as now existing or as hereafter amended".

Presented to Governor for Approval

Tuesday, April 18, 1939 at 3:30 p. m.

L. B. No. 140
L. B. No. 351
L. B. No. 492
L. B. No. 489
L. B. No. 3
L. B. No. 264

Correctly Engrossed

Legislative Bill No. 338.

Correctly Enrolled

Legislative Bill No. 494.

(Signed) Craven, Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill No. 494.

MOTION—To Place on General File

Mr. President: I move that L. B. No. 172 be returned to the head of General File for the following specific amendment:

Specific amendment to L. B. No. 172:

Amend L. B. No. 172 by striking all of Section 3, and insert in lieu thereof the following:

"Sec. 3. Such rules, together with all changes, modifications and amendments to existing rules of practice and procedure, shall be reported to the Legislature by the Supreme Court at the beginning of each regular session thereof. The president of the Legislature shall, upon receipt of said report, refer the same to the Committee on Judiciary, who shall cause said rules, changes, modifications and amendments of existing rules to be incorporated in a legislative bill. If and when enacted into law by the Legislature, such rules shall take effect ninety days after the adjournment of said session."

(Signed) Gutoski.

The motion prevailed.

General File

LEGISLATIVE BILL NO. 172. Mr. Gutoski moved the adoption of his Specific amendment above set out.

The motion was lost.

Mr. Gutoski moved to refer to E and R for review.

Mr. Thomas moved that the bill be laid over one day.

Mr. Thomas' motion prevailed.

LEGISLATIVE BILL NO. 2. Laid over. Retains place on file.

LEGISLATIVE BILL NO. 451. Passed over.

LEGISLATIVE BILL NO. 461. Mr. Brady's motion of the Seventy-fourth Day to refer to E and R for review prevailed.

Referred to E and R for review.

LEGISLATIVE BILL NO. 460. Standing Committee amendments as found in the Legislative Journal for the Seventy-second Day were adopted.

Mr. Diers offered the following amendments, which were adopted:

In Standing Committee amendment No. 1 strike the word "time" and insert in lieu thereof the words "biennium ending June 30, 1941".

In Standing Committee amendment No. 2, title, following the first word "institutions" add the following: "during the biennium ending June 30, 1941".

All Committee amendments, as amended, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 462. Standing Committee amendments as found in the Legislative Journal for the Seventy-second Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 451. Mr. Rossiter moved that action be deferred until next Monday and the bill retain its place on General File.

The motion prevailed.

MOTION—To Take Group Picture

Mr. President: I move that we be ready to have our pictures taken tomorrow by the University and that we be ready by 8:30 a. m. (Signed) Carsten.

The motion prevailed.

Adjournment

At 12:07 p. m. Mr. Carsten moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Thursday.

The motion prevailed with 32 ayes, 9 nays, 2 not voting.

Hugo F. Srb
Clerk of the Legislature.

SEVENTY-SIXTH DAY

Legislative Chamber,
Lincoln, Nebraska, April 20, 1939.

The Legislature met at 10:05 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Seventy-fifth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Hastings, one, opposing L. B. No. 86; John Adams, Jr., one, favoring L. B. No. 67; all members, four, favoring L. B. No. 185, five, opposing L. B. No. 185, two, favoring L. B. No. 168 and No. 170.

Communications

A letter was read from George E. Johnson, Chief Engineer and General Manager of The Central Nebraska Public Power and Irrigation District, enclosing copies of a resolution setting out certain policies of that corporation, the Loup River Public Power District, and the Platte Valley Public Power and Irrigation District.

The Clerk announced that a letter had been received from the Attorney General conveying his opinion as to the constitutionality of Legislative Bill No. 74.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 304. (With emergency clause)

A bill for an Act to amend Section 8-308, Compiled Statutes of Nebraska, 1929, relating to building and loan associations; to provide for investment in and withdrawal from shares of building and loan associations by minors over the age of fourteen years; to provide for investment in, holding, transfer, and withdrawal, from shares in building and loan associations by trustees, guardians, executors and administrators; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 31:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Carlson
Carsten
Diers
Dunn
Gantz
Gutoski
Hall
Hastings
Howard
Johnson
Johnston
Klaver
Lambert
Mischke
Mueller
Murphy
Neubauer
Peterson
Rossiter
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 6:

Craven
Garber
Miller
Reavis
Reed
Schultz

Not voting, 6:

Callan
Doyle
Gross
Herrick
Mekota
Norman

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement for Journal

Mr. President: Had I been present I would have voted "aye" on L. B. No. 304. (Signed) Doyle.

LEGISLATIVE BILL NO. 240.

A bill for an Act to repeal Sections 85-220 and 85-221, Compiled Statutes of Nebraska, 1929, relating to the manufacture, purchase, sale and distribution of hog cholera serum and virus by the Board of Regents of The University of Nebraska.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?'"

Voting in the affirmative, 36:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Craven
Diers
Doyle
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Murphy
Neubauer
Norman
Peterson
Reavis
Rossiter
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 6:

Carlson
Carsten
Garber
Mueller
Reed
Schultz

Not voting, 1:

Callan

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 180. (With emergency clause)

A bill for an Act to amend Sec. 37-305, Comp. St. Supp., 1937, relating to game and fish; to provide a special open season for trapping beaver that are destroying trees or otherwise damaging property; to provide that permits to trap such beaver may be issued to the owner or owners of the land upon which damage is done by beaver; to provide that the animal and hide of each beaver so taken shall be the property of the permittee; to provide that permittee shall report to the commission within thirty days after the destruction of any beaver under said permit and shall accompany said report with a fee of one dollar for each beaver that shall have been killed or destroyed under said permit; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 42:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 1:

Callan

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 79. (With emergency clause)

A bill for an Act to amend Section 81-904, Compiled Statutes of Nebraska, 1929, relating to pure food; to provide that gifts, premiums or prizes, or articles other than food may be placed in packages of food products and said packages shall not be deemed misbranded; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 29:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carsten
Craven
Diers
Dunn
Gross
Gutoski
Hall
Herrick
Howard
Johnson
Klaver
Lambert
Mischke
Mueller
Murphy
Neubauer
Peterson
Reed
Rossiter
Thomas
Tvrdik
Van Diest
Westley

Voting in the negative, 7:

Carlson
Doyle
Hastings
Schultz
Sorrell
Thornton
Von Seggern

Not voting, 7:

Gantz
Garber
Johnston
Mekota
Miller
Norman
Reavis

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 53. (With emergency clause)

A bill for an Act to amend Sec. 79-524, Comp. St. Supp., 1937, relating to schools; specifically to appropriate, for the biennium ending June 30, 1941, the sum of fifteen thousand dollars, or so much thereof as may be necessary, for the purpose of paying the tuition of children whose parents are officers or enlisted men of the United States army, navy or marine corps, on duty in the state of Nebraska; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gutoski
Hall
Hastings
Herrick
Johnson
Johnston
Klaver
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 3:

Gross
Lambert
Miller

Not voting, 2:

Howard
Mekota

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Explanation of Vote

Mr. President: The officers and enlisted men in the United States army and navy receive good pay and pay no taxes. They should pay for the education of their children as every other citizen now does. I therefore vote no. (Signed) Miller.

LEGISLATIVE BILL NO. 47. (With emergency clause)

A bill for an Act to amend Sections 52-501, 52-502 and 52-503, Compiled Statutes of Nebraska, 1929, relating to liens; to grant owners or operators of threshing machines, combines or corn shellers a lien upon any grain or seed threshed, combined, hulled or shelled by such machines; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 42:

Adams E. A.
Adams J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 1: Doyle.

Not voting, 0.

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Members Excused

Mr. Ashmore, Mr. Brady and Mr. Garber were excused.

BILLS ON THIRD READING

LEGISLATIVE BILL NO. 41. Read.

The Legislature was at ease for five minutes.

MOTION—To Suspend Rules and Lay Over

Mr. President: I move that the rules be suspended and that L. B. No. 41 be laid over one day. Diers.

The motion prevailed with 30 ayes, no nays, 13 not voting.

SELECT FILE

LEGISLATVE BILL NO. 130. By unanimous consent Mr. Klaver's name was added as a co-introducer.

LEGISLATIVE BILL NO. 344. E and R amendments as found in the Legislative Journal for the Seventy-fifth Day were adopted.

LEGISLATIVE BILL NO. 175. E and R amendments as found in the Legislative Journal for the Seventy-fifth Day were adopted.

Mr. Mischke offered the following amendment, which was adopted unanimously:

"To strike, in line 12, after the word animals the following: "not actually infected with anthrax," and insert before the word animals "of such".

LEGISLATIVE BILL NO. 131. E and R amendments read.

Laid over one day.

LEGISLATIVE BILL NO. 362. No amendments.

LEGISLATIVE BILL NO. 270. E and R amendments as found in the Legislative Journal for the Seventy-fifth Day were adopted.

Referred for Engrossment

L. B. No. 130
L. B. No. 175
L. B. No. 270
L. B. No. 344
L. B. No. 362

Members Excused

Mr. Schultz and Ernest A. Adams were excused.

GENERAL FILE

LEGISLATIVE BILL NO. 172. Laid over one day. Retains place on file.

LEGISLATIVE BILL NO. 2. Mr. Herrick offered the following amendment:

General File amendment to L. B. No. 2:

I. Amend the unofficial copy, mimeographed, pages 2 and 3, Section 2, by striking therefrom all of subsections (c), (d), (e) and (f), together with all amendments previously adopted to said original subsections, and by inserting in lieu thereof the following:

"(c) The operations of any motor carrier in transportation of property within any city or village of this state or within a radius of one mile beyond the corporate limits of such city or village. (d) No provisions of this Act or order of the Commission shall be applicable to ranch, dairy or farm products being transported by motor vehicle from or to any ranch, dairy or farm. (e) No provision of this Act or order of the Commission shall be applicable to motor carriers while transporting from or to a contiguous or to an adjacent trading point or points, supplies, commodities or merchandise owned by any farmer, rancher or dairyman, to or from his farm, ranch or dairy, for use thereon. (f) No provision of this Act or order of the Commission shall apply to ambulances or their owners or to hearses, or to automobiles used exclusively as an incident to conducting a funeral. (g) No provision of this Act or order of the Commission shall apply to motor vehicles owned and operated by any industrial, processing or manufacturing plant when used by such plant in the transportation of raw materials and supplies to its plant or plants, or in the delivery of its products, supplies or raw materials to purchasers thereof, when not for hire. (h) No provisions of this Act or order of the Commission shall apply to star route carriers employed by the post-office department of the United States while operating a motor vehicle not exceeding one-half ton manufacturer's rated capacity on their regular routes.".

2. Amend the Unofficial Copy, mimeographed, page 1, title, line 7 by inserting after the last word "by" therein the following:

"motor vehicle or by".

No action taken thereon.

Visitor

Mr. William Newman of Alliance, a former member of the House, addressed the Legislature briefly.

Adjournment

At 12:20 p. m. Mr. Van Diest moved to adjourn.

The motion prevailed with 22 ayes, 11 nays, 10 not voting.

Hugo F. Srb
Clerk of the Legislature.

SEVENTY-SEVENTH DAY

Legislative Chamber,
Lincoln, Nebraska, April 21, 1939.

The Legislature met at 9:00 a. m. Speaker Diers presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Seventy-sixth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Neubauer, one, opposing L. B. No. 185; all members, one, favoring L. B. No. 185, seven, opposing L. B .No. 185, two, favoring L. B. No. 168 and L. B. No. 170.

Communications

A letter was read from Harry L. Brown, acting secretary of the United States Department of Agriculture, acknowledging receipt of a copy of Legislative Resolution No. 23 regarding Republican Valley Flood Control.

A letter was read from the Attorney General expressing his opinion as to the constitutionality of Legislative Bill No. 74.

MESSAGE FROM THE GOVERNOR

Assistance Funds

April 20th, 1939.

Honorable Wm. H. Diers, Speaker
State House,
Lincoln, Nebraska.

My dear Mr. Speaker:

I have before me for consideration L. B. 494. I understand the purpose of this bill was to provide additional assistance funds for the remainder of this biennium, a supplementary appropriation to raise the biennial appropriation to not to exceed $7,800,000. Before taking action on same, however, may I call your attention, and through you, the attention of the Legislature, to the conditions which would be created if this bill becomes a law.

1. All of the five cent gasoline tax collected until July 1, 1939, would be made available for state assistance activities.

2. No gasoline tax revenue would become available during this period for construction or maintenance of the state and federal highway system, or for county road purposes as well.

3. From the standpoint of state administration, this would require virtually complete stoppage of all highway maintenance and of the major part of highway contracts on construction. This latter feature would seem to be the more serious because failure on the part of the state to carry out its contracts would in all probability render the state liable for tens of thousands of dollars of damages for such failure to perform contracts.

Because of the emergency nature of this legislation, I am calling this matter to your attention promptly and I am deferring action on same to permit the Legislature to give this matter further consideration if so desired.

Respectfully submitted,
(Signed) R. L. Cochran
Governor

MOTION—To Request the Return of Bill

Mr. President: I move that the Governor be requested to return Legislative Bill No. 494 to the Legislature. (Signed) Brady.

The motion prevailed.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL NO. 373. Placed on General File.

LEGISLATIVE BILL NO. 181. Placed on General File.

LEGISLATIVE BILL NO. 392. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 392:

Amend the original bill, page 2, line 40 (the printed bill, page 2, line 28) by striking the words "and surgeon".

Amend the title, lines 5 and 6 (the printed bill, line 4 of the title) by striking the words "and surgeons".

(Signed) Miller, Chairman.

Agriculture

LEGISLATIVE BILL NO. 397. Placed on General File.

(Signed) Neubauer, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 129. Placed on Select File with amendments.

E and R amendments to L. B. No. 129:

I. Amend the original bill, page 1, title, line 2 (the printed bill, page 1, title, line 2) by inserting the punctuation ";" after the word "health" and before the word "enabling" therein.

II. Amend the original bill, page 1, title, line 4 (the printed bill, page 1, title, line 3) by striking therefrom "200,000 people" therein and by inserting in lieu thereof the words "two hundred thousand inhabitants".

III. Amend the original bill, page 1, title, line 5 (the printed bill, page 1, title, line 4) by striking the word "co-extensive" therein and by inserting in lieu thereof the word "coextensive".

IV. Amend the original bill, page 2, Section 1, line 2 (the printed bill, page 1, Section 1, line 1) by striking the definite article "the" before the word "people" therein and by inserting in lieu thereof the word "The".

V. Amend the original bill, page 2, Section 1, line 3 (the printed bill, page 1, Section 1, line 2) by striking therefrom the figures "200,000" therein and by inserting in lieu thereof the following:

"two hundred thousand inhabitants".

VI. Amend the original bill, page 2, Section 1, line 11, (the printed bill, page 2, Section 1, line 8) by striking the word "State" therein and by inserting in lieu thereof the word "state".

VII. Amend the original bill, page 3, Section 2, line 1; page 3, Section 4, line 7; page 6, Section 9, line 2 (the printed bill, page 2, Section 2, line 1; page 2, Section 4, line 5; page 4, Section 9, line 1) by striking the word "co-extensive" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word "coextensive".

VIII. Amend the original bill, page 3, Section 2, line 2 (the printed bill, page 2, Section 2, line 2) by striking therefrom "200,000 people" and by inserting in lieu thereof the following: "two hundred thousand inhabitants or more".

IX. Amend the original bill, page 3, Section 4, line 2 (the printed bill, page 2, Section 4, line 2) by striking therefrom the words and figures "more than 200,000 population" and by inserting in lieu thereof the following: "a population of more than two hundred thousand inhabitants".

X. Amend the original bill, page 4, Section 6, line 4 (the printed bill, page 3, Section 6, line 3) by striking the word "has" therein and by inserting in lieu thereof the words "shall have".

XI. Amend the original bill, pages 4 and 5, Section 6, lines 3, 5, 7 and 29; page 10, Section 17, line 10; page 11, Section 18, line 9 (the printed bill, page 3, Section 6, lines 2, 4, 5 and 21; page 6, Section 17, line 7; page 6, Section 18, line 6) by striking the word "Governor" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word "governor".

XII. Amend the general file amendments, page 1, amendment No. 2, by striking that part of said amendment commencing with the words "a new" in line 2, down to and including the figure and punctuation "7." in line 4 therein and by inserting in lieu thereof the following:

"immediately after page 5, Section 6, line 33 of the original bill (page 3, Section 6, line 24 of the printed bill) the following: " ".

XIII. Amend the general file amendments, pages 1 and 2, original, lines 16, 18 and 35 by striking the word "Governor" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word "governor".

XIV. Amend the original bill, page 5, Section 6, line 32 (the printed bill, page 3, Section 6, line 23) by striking therefrom the words "Register of Deeds" therein and by inserting in lieu thereof the words "register of deeds".

XV. Amend the standing committee amendments, page 2, amendment 13, line 5 by inserting the punctuation "," before the word "possession".

XVI. Amend the original bill, page 6, Section 8, line 4; page 6, Section 9, line 8 (the printed bill, page 3, Section 8, line 3; page 4, Section 9, line 6) by striking the word "vice-president" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the words "vice president".

XVII. Amend the original bill, page 6, Section 9, line 6 (the printed bill, page 4, Section 9, line 5) by inserting after the word "pay" and before the possessive adjective "its" therein the word "out".

XVIII. Amend the original bill, page 6, Section 9, line 10 (the printed bill, page 4, Section 9, line 8) by striking the symbol and figures "$100,000.00" therein and by inserting in lieu thereof the words "one hundred thousand dollars".

XIX. Amend the original bill, page 7, Section 10, line 13 (the printed bill, page 4, Section 10, line 10) by striking therefrom the punctuation and word ", **provided**" therein and by inserting in lieu thereof the following: ": **Provided**".

XX. Amend the original bill, page 7, Section 11, line 2 (the printed bill, page 4, Section 11, line 1) by inserting the punctuation "," after the word "statutes" therein.

XXI. Amend the original bill, page 7, Section 11, line 3 (the printed bill, page 4, Section 11, line 2) by inserting the word "shall" after the conjunction "and" and before the verb "assume".

XXII. Amend the general file amendments, page 2, amendment 3, original, by striking that part of said amendment commencing with the indefinite article "a" in line 2 therein, down to and including the figures and punctuation "13." in line 4 therein and by inserting in lieu thereof the following:

"the following: " ".

XXIII. Amend the original bill, page 9, Section 15, lines 1 and 4 (the printed bill, page 6, Section 15, lines 1 and 3) by inserting the punctuation "," after the word "district" wherever the same appears in each of said lines respectively; and in line 2 of said section 15 of the original bill (line 2 of the printed bill) strike the word "act" and insert in lieu thereof the word "Act"; and on page 10, Section 16, line 7 of the original bill (on page 6, Section 16, line 5 of the printed bill) strike the word "pre-existing" and insert in lieu thereof the word "preexisting".

XXIV. Amend the original bill, page 11, Section 18, line 14 (the printed bill, page 7, Section 18, line 10) by inserting after the word "cent" and before the conjunction "and" the following: "per annum".

XXV. Amend the original bill, page 11, Section 19, line 1 (the printed bill, page 7, Section 19, line 1) by striking the word "this" therein and by inserting in lieu thereof the word "This".

XXVI. Amend the printed bill, page 7, Section 19, line 9 by striking therefrom the section symbol "16-314" therein and by inserting in lieu thereof section symbol "16-304".

XXVII. Amend the original bill, page 11, Section 19, line 14 (the printed bill, page 7, Section 19, line 10) by striking the punctuation "," after the section symbol "19-501" therein.

XXVIII. Amend the general file amendments, page 3, by striking all of amendment 4 thereon.

XXIX. Amend the general file amendments, page 2, amendment No. 2, line 31 (mimeograph copy, page 1, lines 24 and 25) by striking the words "Board Member" and inserting in lieu thereof the words "board member".

Correctly Engrossed

L. B. No. 192.

Correctly Enrolled

L. B. No. 240	L. B. No. 47	L. B. No. 53

(Signed) Craven, Chairman.

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

L. B. No. 240	L. B. No. 47	L. B. No. 53

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 338. (With emergency clause)

A bill for an Act to amend Sec. 68-326, Com. St. Supp., 1937, relating to public welfare and social security; to provide that the Board of Control of state institutions shall have authority to establish a personnel plan and to establish reasonable rules and regulations governing the administration of said plan as well as all phases of the administration of the state assistance program, and said reasonable rules and regulations shall be binding upon the counties of the state of Nebraska; to remove county treasurers from membership on the County Assistance Committee; to provide that county employees necessary for the administration of the assistance program shall be selected by the County Assistance Committee in accordance with standards set up for the state by the Board of Control of state institutions; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

A call of the house was ordered.

The call was raised.

Voting in the affirmative, 34:

Adams, E. A.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Gross
Hall
Hastings
Howard
Johnson
Johnston
Klaver
Lambert
Mischke
Mueller
Murphy
Normon
Peterson
Reavis
Reed
Rossiter
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 5:

Craven
Garber
Miller
Neubauer
Schultz

Not voting, 4:

Adams, J. Jr.
Gutoski
Herrick
Mekota

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Explanation of Vote

Mr. President: I vote aye, but blush with shame, having to support such a bureaucratic measure. (Signed) Van Diest.

Mr. President: I vote aye, because this seems to be the only way to get Federal aid; but regret that this will deprive many persons, regardless of intelligence and ability, from jobs on account of personnel requirements. (Signed) Mueller.

Mr. President: I vote no on L. B. No. 338, because it centralizes power in what might prove to be a dictatorial board. It removes from communities local control and responsibility, which is undemocratic. (Signed) Miller.

SELECT FILE

LEGISLATIVE BILL NO. 131. Mr. Craven moved that the rules be suspended and the E and R amendments offered on the Seventy-fifth Day be adopted.

The motion prevailed with 31 ayes, no nays, 13 not voting.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL NO. 172. Passed over.

LEGISLATIVE BILL NO. 2. The amendment by Mr. Herrick, found in the Legislative Journal for the Seventy-sixth Day was considered.

Mr. Herrick offered the following amendment to his amendment of the Seventy-sixth Day, which was adopted:

That subsection (e) be stricken and the following be inserted: (e) No provision of this Act or order of the Commission shall be applicable to supplies or merchandise being transported by motor vehicle from or to any ranch, dairy or farm for use thereon when originating at or destined to a neighboring trading point or points.

Mr. Miller offered the following amendment to the Herrick amendment of the Seventy-sixth Day, which was adopted:

In subsection (c), line 3, strike the words "one mile" and insert "five miles".

President Johnson presiding.

Mr. Gutoski offered the following amendment to the Herrick amendment of the Seventy-sixth Day, which was adopted:

Amend section (d) in Herrick motion so that the word "or" be stricken after the last word "dairy" and a comma inserted in lieu thereof; and the words "or any market" be added after the word "farm".

The Herrick amendment of the Seventy-sixth Day was adopted as amended.

The Chair announced that L. B. No. 494 had been returned by the Governor.

MOTION—To Consider L. B. No. 494

Mr. President: I move that unanimous consent be given to defer further consideration of L. B. No. 2 at this time and that we consider L. B. No. 494, which has been returned to the Legislature by the Governor. (Signed) Diers.

The motion prevailed unanimously.

MOTION—To Reconsider Action

Mr. President: I move that the Legislature reconsider its action on L. B. No. 494. (Signed) Brady.

The motion prevailed with 33 ayes, no nays, 10 not voting.

MOTION—To Return to Select File

Mr. President: I move that L. B. No. 494 be returned to Select File for the following specific amendment:

Strike all amendments to L. B. No. 494.

(Signed) Brady.

The motion prevailed with 37 ayes, no nays, 6 not voting.

SELECT FILE

LEGISLATIVE BILL NO. 494. Mr. Brady moved to adopt the Specific amendment above set out.

The motion prevailed.

Referred to E and R for engrossment.

Consent to Mimeograph Bill

Unanimous consent was granted to have Legislative Bill No. 235 mimeographed.

GENERAL FILE

LEGISLATIVE BILL NO. 2. Referred to E and R for review.

Upon the request of Mr. Neubauer, unanimous consent was granted to have L. B. No. 2 mimeographed.

MOTION—To Place at Head of General File

Mr. President: I move that L. B. No. 417 be placed at the head of General File. (Signed) Brady.

The motion prevailed.

MOTION—Special Order of Business

Mr. President: I move that Legislative Bills No. 185, No. 168 and No. 170 be advanced to the head of General File and be made special order of business Monday at 10:00 a. m. (Signed) Murphy.

MOTION—To Amend

Mr. President: I move that the Murphy motion be amended by adding thereto the following: "and that the bills be considered in the following order, 168, 170 and 185". (Signed) Mekota.

The motion to amend prevailed.

The Murphy motion as amended prevailed with 35 ayes, 5 nays, 3 not voting.

MOTION—To Reconsider

Mr. President: I move that we reconsider our action on L. B. No. 190 and that it be placed on General File and considered after L. B. No. 185. (Signed) Howard.

The motion prevailed with 38 ayes, no nays, 5 not voting.

MOTION—To Reconsider Action

Mr. President: I move that we reconsider our action on Legislative Bill No. 29. Craven.

The motion was lost with 20 ayes, 15 nays, 8 not voting.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL NO. 338. Correctly enrolled.

(Signed) Craven.

President Signs

While the Legislature was in session and capable of transacting business, the President signed

Legislative Bill No. 338

GENERAL FILE

LEGISLATIVE BILL NO. 417. Mr. Brady offered the following amendment, which was adopted:

That the words "non-resident manufacturer," be stricken in section 1, line 5.

Referred to E and R for review.

MOTION—To Rerefer to Select File

Mr. President: I move that Legislative Bill No. 41 be rereferred to Select File for the following specific amendment:

1. Amend the bill, Final Form on Third Reading, pages 2 and 3, Section 2, commencing with the word "This" in line 3 down to and including the word "law" in line 10 on page 3 by restoring all stricken matter and by striking all new matter to that part of said bill; and in line 8 of said Section 2 on page 3 strike "membrs" and insert in lieu thereof the word "members".

(Signed) Diers

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL NO. 41. The Specific amendment offered by Mr. Diers, above set out, was adopted.

By unanimous consent the name of John Adams, Jr. was added as a co-introducer.

Referred to E and R for engrossment.

Approved by the Governor

April 20th, 1939.

To the Members of the Legislature

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bills:

L. B. No. 264
L. B. No. 489
L. B. No. 140
L. B. No. 492
L. B. No. 351

Respectfully submitted,
(Signed) Otho K. De Vilbiss
Secretary to the Governor

Adjournment

At 12:30 p. m. on motion by Mr. Mischke the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

SEVENTY-EIGHTH DAY

Legislative Chamber,
Lincoln, Nebraska, April 24, 1939.

The Legislature met at 9 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Norman who was excused.

The Journal for the Seventy-seventh Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Sorrell, one, Mr. Mueller, one, favoring L. B. No. 185; Mr. Hastings, one, favoring L. B. No. 168 and No. 170; Mr. Mueller, one, favoring L. B. No. 212; all members, six, opposing L. B. No. 185, two, favoring L. B. No. 174.

Communications

A letter was read from the Library of Congress acknowledging receipt of a copy of Legislative Resolution No. 22 regarding the First Living Christmas Tree.

A letter was read from Fred R. Rauch, Assistant Administrator of the WPA in Washington, acknowledging receipt of a copy of Legislative Resolution No. 20, regarding Federal Statutes.

Two letters numbered 7402-80 and 7402-81, dated April 21, 1939, were read from Miles Reber, Captain, Corps of Engineers, relative to Legislative Resolution No. 23, regarding Republican Valley Flood Control.

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL NO. 317. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 317:

1. Amend the printed bill, pages 1 and 2 by striking all of Sections 1 and 2 thereon and by inserting in lieu thereof the following:

"Section 1. That Section 39-821, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

39-821. Whenever any public highway **or street** within this state, heretofore or hereafter laid out, shall cross or be crossed by any **canal, channel,** ditch or ~~channel~~ **lateral constructed by any person, persons, or association of persons, corporation, public irrigation or** ~~of any~~ public drainage ~~or irrigation~~ district, **or public irrigation and drainage district, or public power and irrigation distrct, or public power district, organized as public or quasi-public corporations under the laws of this** state now or hereafter constructed, it shall be the duty of the person **or persons or the** governing board of ~~said drainage or irrigation district~~ **the association, public irrigation district, or public drainage district, or public irrigation and drainage district, or public power and irrigation district, or public power district,** and the governing board of the county or ~~municipal corporation involved~~ **municipality, corporation, or the Department of Roads and Irrigation of the state of Nebraska,** to negotiate and agree for the building and maintaining of bridges and approaches thereto on such terms as shall be equitable, all things considered, between ~~such drainage or irrigation district~~ **any person, persons, or association of persons, corporation, public irrigation or public drainage district, or public irrigation and drainage district, or public power and irrigation district, or public power district, organized as public or quasi-public corporations under the laws of this state** and such county or municipality **or the Department of Roads and Irrigation of the state of Nebraska, as the case may be;** and such ~~agreement~~ **agreements** heretofore made shall be binding, as well as such agreements hereafter made. If said ~~boards~~ **parties**, for any reason, fail to agree with reference to said matter, it shall be the duty of ~~the drainage or irrigation district~~ said **person, persons, or association of persons, corporation, public irrigation district, or public drainage district, or public irrigation and drainage district, or public power and irrigation district, or public power district organized as public or quasi-public corporations under the laws of this state involved**, to build the necessary bridges and approaches, **and to keep the highway or street open**

for safe and convenient travel during construction and restore the highway **or street** in question to its former state as near as may be, as it was laid out prior to the construction of the ~~ditch or~~ **canal,** channel, **ditches or laterals** in question, **as soon as practicable after the construction of said canal, channel, ditch or lateral** and it shall be the duty of the ~~county or municipal corporation involved~~ **owner or owners of said canal, channel, ditch or lateral** to maintain **and repair** said bridges and approaches **thereto after the same have been built.** Provided, where more than seventy-five (75%) percent of the water passing through any such ditch or channel is used by any person, firm or corporation for purposes other than irrigation or drainage, it shall be the duty of such person, firm or corporation so using such seventy-five (75%) per cent or more of such water, to build and maintain solely at his, their or its expense, all such bridges and approaches thereto. Any bridge that may be built by any ~~drainage or irrigation district or by any person, firm or corporation~~ **of the above named parties** under the provisions of this section, shall be constructed under the supervision of the ~~state department of public works~~ **State Department of Roads and Irrigation,** if on a state highway, and under the supervision of the ~~County Board~~ **county board** or governing body of a municipality, if under the jurisdiction of such board or governing body of such municipality : **Provided,** that the provisions of this section shall not set aside, vacate, modify or in any manner affect any decree or judgment heretofore rendered by any court.

Sec. 2. That said original Section 39-821, Compiled Statutes of Nebraska, 1929, is hereby repealed; and that Sec. 46-619, Comp. St. Supp., 1937, is hereby repealed."

2. Amend the printed bill, page 1, title, by striking all of said title after the word "ACT" in line 2 thereon and by inserting in lieu thereof the following:

> "to amend Section 39-821, Compiled Statutes of Nebraska, 1929, relating to bridge maintenance and construction over ditches and canals constructed by any person or persons, corporation, or association of persons, public irrigation and drainage district, public drainage district, public power district, public irrigation district and public power and irrigation district organized as public corporations or quasi-public corporations under the laws of this state; to provide for the construction, maintenance and repair of bridges and approaches on highways crossed by any irrigation canal, ditch or lateral, drainage canal or ditch, by the public drainage district, public irrigation and drainage district, public irrigation district, or public power district, or public power and irrigation district organized as public or quasi-public corporations under the laws of this state, or any canal, ditch or lateral constructed by any person,

persons, corporation, or association of persons owning the same; to repeal said original section; and to repeal Sec. 46-619, Comp. St. Supp., 1937."

(Signed) Howard, Chairman.

Claims and Deficiencies

LEGISLATIVE BILL NO. 154. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 154:

I. Amend the original bill, page 1, line 3, the title (the printed bill, page 1, line 2 following the phrase "Earl Cox," to the punctuation mark ";" in line 3) by striking the words "Thomas Bailey and Sibil Bailey".

II. Amend the original bill, page 1, line 2, the title (the printed bill, page 1, line 2, the title) following the word "Cox" and before the word "Earl" strike the comma "," and insert in lieu thereof the word **"and"**.

III. Amend the original bill, page 1, line 4, the title, following the word "priating" to before the word "to" in line 5 (the printed bill, page 1, line 3, the Title, following the word "appropriating" to before the word "to" in line 4) strike the phrase "Five Thousand Four Hundred Dollars, ($5,400.00)" and insert in lieu thereof the phrase **"Two Thousand Two Hundred Dollars ($2,200.00)."**

IV. Amend the original bill, page 1, line 1, the Preamble, following the word "Whereas," to the word "Earl" in line 2 (the printed bill, page 1, line 1, the Preamble, following the word "Whereas," to the end of the line) strike the phrase "Thomas Bailey and Sibil Bailey, husband and wife, and".

V. Amend the original bill, page 2, line 1, Section 1, following the word "of" to before the word "be" in line 2 (the printed bill, page 1, line 1, Section 1, following the word "of" and to before the word "be") strike the following phrase "Five Thousand Dollars ($5,000.00)" and insert in lieu thereof the phrase **"Two Thousand Dollars ($2,000.00)"**.

VI. Amend the original bill and the printed bill by striking Sections 3 and 4.

VII. Amend the original bill, page 3, line 2, Section 4, following the word "upon" to the word "of" (the printed bill, page 2, line 3 of Section 4, following the word "upon" to the word "of") strike the phrase "the general fund" and insert in lieu thereof **"the Road Maintenance Gas Tax Fund"**.

(Signed) Ernest A. Adams, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 389. Placed on Select File with amendments.

E and R amendments to L. B. No. 389:

I. Amend the unofficial copy, mimeographed, page 2, Section 1, line 6 by striking the figures "65" and by inserting in lieu thereof the word **"sixty-five"**.

II. Amend the unofficial copy, mimeographed, page 2, Section 1, line 20 by inserting after the figures and punctuation "1929," the following:

"as now existing or as hereafter amended,".

III. Amend the unofficial copy, mimeographed, page 2, Section 1, line 24, by striking the punctuation ";" therein and by inserting in lieu thereof the punctuation **"."**.

IV. Amend the General File amendments, page 1, Amendment 4, line 5, by striking therefrom "the recipient of such assistance" and by inserting in lieu thereof the following:

"by the recipient of such assistance".

V. Amend the unofficial copy, mimeographed, page 4, Section 3, line 38 by striking the punctuation ";" and by inserting in lieu thereof the punctuation **","**.

VI. Amend the unofficial copy, mimeographed, page 5, Section 5, line 8 by striking the word **"occured"** and by inserting in lieu thereof the word **"occurred"**.

VII. Amend the unofficial copy, mimeographed, page 5, Section 5, line 18, by striking therefrom the word **"recipeint"** and by inserting in lieu thereof the word **"recipient"**.

VIII. Amend General File amendment No. 3 (by Howard) by striking therefrom the words and figures "lines 24 and 25" and inserting in lieu thereof the following: "Section 2, lines 37 and 38".

IX. Amend General File amendment No. 2 (by Mekota), line 3, by underscoring the following: "residing in and".

X. Amend General File amendments by Mekota, page 2, Section 6, line 32 (mimeographed unofficial copy, page 6, Section 6, line 31), by striking the word "the", after the word "in" and before the word "case".

Correctly Engrossed

L. B. No. 41
L. B. No. 175
L. B. No. 270
L. B. No. 344
L. B. No. 362

Correctly Enrolled

L. B. No. 79
L. B. No. 180
L. B. No. 304

(Signed) Craven, Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 79
L. B. No. 180
L. B. No. 304

10:00 a. m. Special Order of Business

General File

LEGISLATIVE BILL NO. 168. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Sixty-third Day were adopted.

Mr. Howard offered the following amendment:

1. Amend the standing committee amendments, page 3 (mimeographed bill, page 3, end of Section 1) by inserting after the last word "payments" in the last line of said section, the following:

"; and provided further, that whenever any such district shall purchase or acquire any real property used or useful for the purposes for which said district shall have been created, such district shall annually pay out of its revenue, to the state of Nebraska, county, city, village, township and school district in which said real property is located, in lieu of taxes, a sum equal to the amount which such state, county, city, village, township or school district received from taxation from said real property from the person, firm or corporation owning the same, during the year immediately preceding the purchase or acquisition of such property by such power district or by such power and irrigation district; and provided further, the directors of any such district shall not incur any personal liability by reason of the making of such payments".

Record vote was requested.

Voting in the affirmative, 4:

Adams, J. Jr.
Howard
Mekota
Rossiter

Voting in the negative, 15:

Carlson
Doyle
Dunn
Gross
Hall
Hastings
Herrick
Klaver
Lambert
Mischke
Murphy
Neubauer
Sorrell
Thomas
Von Seggern

Not voting, 24:

Adams, E. A.
Ashmore
Brady
Brodecky
Callan
Carsten
Craven
Diers
Gantz
Garber
Gutoski
Johnson
Johnston
Miller
Mueller
Norman
Peterson
Reavis
Reed
Schultz
Thornton
Tvrdik
Van Diest
Westley

A majority having failed to vote in the affirmative ,the amendment was lost.

Mr. Herrick moved to refer to E and R for review.

Mr. Mekota moved to defer action until Tuesday morning, the 25th.

The Mekota motion prevailed with 19 ayes, 14 nays, 10 not voting.

Unanimous consent granted that L. B. No. 168 receive first consideration on General File.

LEGISLATIVE BILL NO. 170. Read and considered.

Mr. Reavis offered the following amendment:

1. That the period in Line 23 of printed Legislative Bill No. 170, immediately following the word "it", be stricken and that, in lieu thereof, a comma be inserted, and that immediately after said comma the following be inserted:

"and notwithstanding any other provisions in this section or in any law relating to public power and public power and irrigation districts, such districts shall be subject to all laws granting to any such city or village the power to regulate service and to fix, determine or regulate rates to be charged for such electrical energy, in the same manner and to the same extent now given by law to such city or village with respect to privately owned utilities."

2. That all of Section 2 of Legislative Bill No. 170 be stricken and that, in lieu thereof, the following be inserted:

"Sec. 2. That Section 70-714, Comp. St. Supp., 1937, be and the same hereby is amended to read, as follows:

"The provisions of this Act (C. S. Supp. 1937, 70-701 to 70-715) shall be deemed cumulative and shall not limit, or affect, or be limited, or affected by any other provisions of law pertaining to counties, cities, villages, irrigation districts, public electric light districts, public power districts, public corporations, or other municipalities or political subdivisions of this state, **except as is otherwise provided in Section 70-713, Comp. St. Supp., 1937, as amended by this bill."**

3. That there be added to said Legislative Bill No. 170, as Section 3 thereof, the following:

"Sec. 3. If any provision of this Act is declared unconstitutional, the validity of the remainder of the Act shall not be affected thereby."

4. That there be added to said Legislative Bill No. 170, as Section 4 thereof, the following:

"Sec. 4. That Sections 70-713 and 70-714, Comp. St. Supp., 1937, be and the same are hereby repealed."

5. That there be added to said Legislative Bill No. 170, as Section 5 thereof, the following:

"Sec. 5. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law."

6. That the entire title to said Legislative Bill No. 170, as same appears in the printed bill, be striken therefrom and, in lieu thereof, the following be inserted:

"A BILL FOR AN ACT to amend Sections 70-713 and 70-714, Comp. St. Supp., 1937, relating to public power and public power and irrigation districts; to amend said Section 70-713 to require any such districts to have a franchise for operation within cities and villages; to provide that the franchises granted may provide maximum rates to be charged; to provide that as to any existing utility furnishing electrical energy for use within any city or village that shall be acquired by any such district, the same shall be subject to laws empowering cities or villages to regulate service and to fix, determine or regulate rates; to amend said Section 70-714 to except from its provisions laws empowering cities and villages to regulate service and to fix, determine and regulate rates to the extent referred to in the amendment to said Section 70-713, as provided for in this Act; to provide a validity clause; to repeal said original sections; and to declare an emergency."

Visitor

Mr. Hale of Washington, D. C., was introduced and addressed the Legislature briefly.

Recess

At 12:07 p. m. on motion by Mr. Brady, the legislature recessed until 2:00 p. m.

After Recess

At 2:00 p. m. the Legislature reconvened with President Johnson presiding.

The roll was called and all members were present except Mr. Norman.

Invitation

Mr. Thomas, in behalf of the Golden Spike Committee, the Omaha Theaters, the Omaha Chamber of Commerce and the Ak-Sar-Ben, extended an invitation to the members of the Legislature and their wives to be guests of those organizations for luncheon on Friday the 29th and to attend the premiere of the film production Union Pacific in the evening.

Approved by Governor

April 22nd, 1939.

To the Members of the Legislature

Gentlemen:

I have been directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bills:

L. B. No. 338　L. B. No. 53　L. B. No. 240
L. B. No. 3.

Respectfully submitted,

(Signed) Otho K. De Vilbiss,
Secretary to the Governor.

To the Members of the Legislature

April 24th, 1939.

Gentlemen:

I have been directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bill:

L. B. No. 47.

Respectfully submitted,

(Signed) Otho K. De Vilbiss,
Secretary to the Governor.

GENERAL FILE

LEGISLATIVE BILL NO. 170. Reavis amendments considered.

Record vote was requested.

Voting in the affirmative, 13:

Ashmore
Brady
Craven
Gutoski
Johnston
Klaver
Mueller
Murphy
Reavis
Rossiter
Schultz
Thomas
Tvrdik

Voting in the negative, 24:

Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Garber
Gross
Hall
Hastings
Herrick
Howard
Lambert
Mekota
Miller
Mischke
Neubauer
Sorrell
Thornton
Van Diest
Von Seggern
Westley

Not voting, 6:

Adams, E. A.
Adams, J. Jr.
Johnson
Norman
Peterson
Reed

A majority having failed to vote in the affirmative, the amendment was lost.

Committee Report Withdrawn

Unanimous consent was granted to withdraw the committee report submitted to the Legislature on Legislative Resolution No. 8.

Adjournment

At 5:07 p. m. on motion by Mr. Johnson the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

SEVENTY-NINTH DAY

Legislative Chamber,
Lincoln, Nebraska, April 25, 1939.

The Legislature met at 9:04 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Seventy-eighth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Rossiter, one, favoring L. B. No. 185; all members, one, favoring L. B. No. 471, one, favoring L. B. No. 86.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 494. Replaced on Select File with the following Specific amendments:

VIII. Amend the original bill, page 4, Section 3, line 13 (the printed bill, page 3, Section 3, line 10) by inserting the figures "494" after the abbreviation and punctuation "No."; and on page 4, Section 4, line 17 of the original bill (page 3, Section 4, line 13 of the printed bill) insert the figures "494" after the abbreviation and punctuation "No." therein.

LEGISLATIVE BILL NO. 461. Placed on Select File with amendments.

E and R amendments to L. B. No. 461:

I. Amend the original bill, page 2, Section 1, line 7 (the printed bill, page 1, Section 1, line 5) by inserting after the word **"Control"** and before the word **"shall"** the words **"of state institutions"**.

LEGISLATIVE BILL NO. 417. Placed on Select File with amendments.

E and R amendments to L. B. No. 417:

I. Amend the original bill, page 1, Section 1, line 3 (the printed bill, page 1, Section 1, line 3) by striking the word "may" therein and by inserting in lieu thereof the following:
"~~shall~~ **may**".

II. Amend the original bill, page 2, Section 1, line 14 (the printed bill, page 1, Section 1, line 11) by inserting after the word "stamp" therein the following:

"~~and shall likewise bear the date of cancellation~~".

LEGISLATIVE BILL NO. 460. Placed on Select File.

LEGISLATIVE BILL NO. 462. Placed on Select File.

LEGISLATIVE BILL NO. 2. Placed on Select File with amendments.

E and R amendments to L. B. No. 2:

III. Amend the General File amendments, April 21, 1939, amendment 1, by underscoring all matter commencing with subsection (e) in line 2 down to and including the word and punctuation **"points."** in line 6.

IV. Amend the General File amendments, original, April 17, 1939 (Legislative Journal, Seventy-third day, Hall amendment) Section 3, line 1, by striking the first word "Section" and by inserting in lieu thereof the abbreviation and punctuation "Sec.".

V. Amend the Hall amendment (IV above) original, Section 3, lines 3 and 4 by striking therefrom ", MOTOR CARRIERS, PERMIT, APPLICATION FEE, ANNUAL FEE, MOTOR CARRIER FUND, CREATION, HOW USED".

VI. Amend the Hall amendments (IV above) original, Section 3, line 7 by striking therefrom "Seven and 50/100 Dollars ($7.50)" and by inserting in lieu thereof:

"seven dollars and fifty cents".

VII. Amend the Hall amendments (IV above) original, Section 3, line 11 by striking the punctuation "," after the word "Act" and before the word "shall" therein; and in lines 12 and 13 strike "Seven and 50/100 Dollars ($7.50)" and insert in lieu thereof **"seven dollars and fifty cents".**

VIII. Amend the Hall amendments (IV above) original, Section 3, line 23 by inserting the punctuation "," after the word "fund" and before the word "designated".

IX. Amend the Hall amendment (IV above) Section 3, line 28 by striking therefrom section history as follows:

"(1937. p. 530)".

X. Amend the Hall amendments (IV above) by striking all of Section 4 therein and by inserting in lieu thereof the following:

"Sec. 4. That said original Secs. 75-223, 75-224 and 75-226, Comp. St. Supp., 1937, are hereby repealed".

XI. Amend the Hall amendments (IV above) Section 5, line 1 by striking the first word "Section" and by inserting in lieu thereof the abbreviation and punctuation "Sec.".

XII. Amend the Committee on Banking, Commerce and Insurance General File amendments, original, Amendment 3, page 5, (the Unofficial Copy of said bill, mimeographed, April 10, 1939, page 1, title) by striking the conjunction "and" in line 5 of the original amendment (line 2 of the mimeographed copy) and by inserting in lieu thereof the punctuation ","; and also in said line 5 of the original amendment (line 2 of the mimeographed copy) insert after the section symbol "75-224" therein the following:

"and 75-226".

XIII. Amend the Committee on Banking, Commerce and Insurance General File amendments, original, page 5, line 14 (the mimeographed copy April 10, 1939, Unofficial Copy, title, line 9) by inserting after the word and punctuation "apply;" therein the following:

"to fix the amount of application fees to be paid for the issuance of certificates or permits; to provide the amount of annual fee to be paid for each motor vehicle operated thereunder;".

LEGISLATIVE BILL NO. 44. Placed on Select File with amendments.

E and R amendments to L. B. No. 44:

I. Amend the general file amendments, amendment 1, line 3, by striking therefrom the figures and symbol "45%" therein and by inserting in lieu thereof the words "forty-five per cent".

II. Amend the original bill, page 2, Section 1, line 25 (the printed bill, page 2, Section 1, line 23) by striking the words "Federal Government" therein and by inserting in lieu thereof the words "federal government".

III. Amend the original bill, page 1, Section 1, line 4 (the printed bill, page 1, Section 1, line 4) by striking therefrom the figures and symbol "90%" and by inserting in lieu thereof the words "ninety per cent".

IV. Amend the original bill, page 1, Section 1, line 6; page 2, Section 1, lines 24, 26 and 29; (the printed bill, page 1, Section 1, line 6; page 2, Section 1, lines 22, 24 and 27) by striking the word "State" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word "state".

V. Amend the original bill, page 2, Section 1, line 13 (the printed bill, page 1, Section 1, line 13) by striking the word "Government" therein and by inserting in lieu thereof the word "government".

VI. Amend the original bill, page 2, Section 1, line 18 (the printed bill, page 2, Section 1, line 17) by engrossing the word "PROVIDED" in caps and lower case; and engross all of said Section 1 as one solid separate unit of subject matter.

VII. Amend the original bill, page 2, Section 1, line 19 (the printed bill, page 2, Section 1, line 18) by striking "(60)" therein.

VIII. Amend the original bill, page 2, Section 2, line 1 (the printed bill, page 2, Section 2, line 1) by striking the word "Section" therein and by inserting in lieu thereof the abbreviation and punctuation "Sec."; and in said line 1, engross the word "WHEREAS" in caps and lower case.

IX. Amend the original bill, page 1, title, line 2 (the printed bill, page 1, title, line 2) by inserting after the word "ACT" therein the following:

"relating to Unemployment Compensation Law;".

X. Amend the original bill, page 1, title, line 7 (the printed bill, page 1, title, line 6) by striking therefrom "(60)".

XI. Amend the original bill, page 1, title, lines 8 and 10 (the printed bill, page 1, title, lines 7 and 9) by striking the punctuation and word", and" wherever the same first appear in each of said lines respectively and by inserting in lieu thereof the punctuation ";"; and in line 10 of said title in the original bill (line 9 in the printed bill) strike the word "Acts" therein and by inserting in lieu thereof the word "acts".

XII. Amend the original bill, page 1, title, line 11 (the printed bill, page 1, title, line 9) by striking the word and punctuation "herewith," and by inserting in lieu thereof the word and punctuation "therewith;".

XIII. Amend the original bill, page 1, Section 1, line 10 (the printed bill, page 1, Section 1, line 9) by striking the word "Act" therein, and inserting in lieu thereof the word "**Law**".

LEGISLATIVE BILL NO. 235. Replaced on Select File with the following Specific amendment:

XXIX. Amend the Enrollment and Review amendments, original, page 4, Amendment XXVII, line 12 (the Enrollment and Review amendments, mimeographed, page 3, Amendment XXVII, line 12) by inserting after the word and punctuation "that," and before the word "until" therein the following:

"from and after the passage and approval of this Act up to and including June 30, 1939 and ".

XXX. Amend the original bill, page 4, Section 2, line 6 (the printed bill, page 3, Section 2, line 5) by striking the word "Until" and by inserting in lieu thereof the following:

"From and after the passage and approval of this Act up to and including June 30, 1939 and until".

XXXI. Engross as directed on page 734, Legislative Journal, Sixty-second day; then strike the punctuation "." on page 5, Section 2, line 44 of the original bill (page 4, Section 2, line 34 of the printed bill); and then amend the Select File Amendments, March 31, 1939, original, by striking all of Amendment 2 thereon and by inserting in lieu thereof the following:

", and said fifty per cent of said".

XXXII. Amend the Enrollment and Review amendments, original, page 3, Amendment No. XVII, line 7, and Amendment No. XIX, line 7 (the Enrollment and Review amendments, mimeographed, page 3, Amendment XVII, line 7 and Amendment No. XIX, line 7) by inserting after the word "**amended**" and before the preposition "**by**" in each of said lines respectively the following:

"by Sec. 2, Legislative Bill No. 483, Fifty-third Session, Nebraska State Legislature, 1939, as amended".

XXXIII. Amend the Unofficial mimeograph copy, April 22, 1939, page 5, Section 2, by striking the figures "**1940**" immediately following the word and figures "June 30, 1939," and inserting in lieu thereof the figures "1941"; and amend Section 3, page 5, line 14 (Unofficial mimeograph copy, April 22, 1939) by striking therefrom the symbol "66-504" and insert in lieu thereof the symbol "66-405".

LEGISLATIVE BILL NO. 130. Correctly engrossed.
(Signed) Klaver, Vice Chairman.

Enrollment and Review

Presented to Governor for Approval

Saturday, April 22, 1939 at 9:00 a. m.

L. B. No. 47 L. B. No. 53 L. B. No. 240 L. B. No. 338

(Signed) Craven, Chairman.

Referred to Select File for Specific Amendment

Upon request by Mr. Gutoski, unanimous consent was granted to refer L. B. No. 131 from Enrollment and Review (final) to Select File for the following Specific amendment:

Insert the following after the word "constituted" and before the word "and" in the new matter contained in the original Enrollment and Review amendments dated April 19, 1939 (Sec. 1, line 10): "as provided by Legislative Bill No. 129, Fifty-third Session, Nebraska State Legislature, 1939,".

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 192. (With emergency clause)

A bill for an Act providing for the appointment of a commissioner to act on behalf of the state of Nebraska to negotiate a compact between the states of Colorado and Nebraska respecting the use and distribution of the waters of the South Platte river and the rights of said states thereto; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Adams, E. A.
Ashmore
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Garber
Gross
Gutoski
Hall
Herrick
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 1:

Hastings

Not voting, 6:

Adams, J. Jr.
Brady
Dunn
Gantz
Howard
Murphy

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL NO. 129. E and R amendments as found in the Legislative Journal for the Seventy-seventh Day were adopted.

The following amendment by Mr. Thomas was adopted by unanimous consent:

That L. B. 129 be amended as follows: Sec. 7 as amended on General File by amending the last sentence of said section by striking the words "the governor shall appoint" and insert in lieu thereof the words; "a majority of the remaining members shall select".

The following amendment by Mr. Gutoski was adopted by unanimous consent:

Amend Sec. 18, line 6 printed bill by striking the words; "either the governor or".

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 389. E and R amendments as found in the Legislative Journal for the Seventy-eighth Day were adopted.

Mr. Schultz moved to suspend the rules and refer to General File for further consideration.

The motion prevailed with 33 ayes, no nays, 10 not voting.

LEGISLATIVE BILL NO. 131. The Specific amendment offered by Mr. Gutoski, found in this Day's Journal, was adopted.

Referred to E and R for engrossment.

GENERAL FILE

Upon request by Mr. Schultz, unanimous consent was granted to consider L. B. No. 389.

LEGISLATIVE BILL NO. 389. Mr. Schultz offered the following amendment, which was adopted with 34 ayes, 3 nays, 6 not voting:

1. Amend Legislative Bill No. 389 with General File amendments prepared pursuant to motion, unofficial copy, mimeographed, page 3, Section 2, line 39, by inserting immediately after the word "case" therein the following:

": Provided, any person who is eligible under the provisions of Chapter 68, Compiled Statutes of Nebraska, 1929, as amended, and who is domiciled in a fraternal, benevolent or charitable institution may receive assistance in like manner as any other eligible person who is not domiciled in such institution, and the county assistance committee shall likewise make investigation and record of the circumstances of all such persons so domiciled in any such institution under its jurisdiction for the purpose of determining the amount of assistance, if any, that said person so domiciled shall receive on the basis of need, as hereinafter defined".

Laid over until April 26th.

LEGISLATIVE BILL NO. 168. Mr. Herrick's motion of the Seventy-eighth Day to refer to E and R for review was withdrawn.

Mr. Gutoski offered the following amendment, which was adopted with 22 ayes, 9 nays, 12 not voting:

1. Amend the standing committee amendments to L. B. 168, Section 1, page 2, line 46, by striking the following: "and not disadvantageous to such district".

2. Amend the standing committee amendments to L. B. 168, Section 1, page 3, lines 5 and 6, by striking the following: "and not disadvantageous to such district".

3. Amend the standing committee amendments to L. B. 168, Section 1, page 3, lines 8 and 9, by striking the following: "including reasonable severance damages, that are fair and not disadvantageous to the district".

Mr. Howard offered the following amendment, which was adopted with 19 ayes, 6 nays, 18 not voting:

1. Amend the Standing Committee amendments, page 4, Section 1, by inserting after the last word "payments" in the last line of said section, the following:

"; and provided further, that whenever any such district shall purchase or acquire any real property used or useful for the purposes for which said district shall have been created, such district shall annually pay out of its revenue, to the state of Nebraska, county, city, village, township and school district in which said real property is located, in lieu of taxes, a sum equal to the amount which such state, county, city, village, township or school district received from taxation from said real property from the person, firm or corporation owning the same, during the year immediately preceding the purchase or acquisition of such property by such power district or by such power and irrigation district; and provided further, that the county board, sitting as a board of equalization, may, in any year subsequent to the purchase or acquisition of such property by such power district or by such power and irrigation district, determine the amount that such district shall pay out of its revenue to the state of Nebraska and its several governmental subdivisions, as aforesaid, in lieu of taxes, such sum as equity and justice may require, notwithstanding the amount which said state and its said governmental subdivisions may have received from taxation during the year immediately preceding the purchase or acquisition of such property; and provided further, the directors of any such district shall not incur any personal liability by reason of the making of such payments".

Member Excused.

At 11:00 a. m. Mr. Carsten was excused on account of illness.

Mr. Gutoski offered the following amendment to L. B. No. 168:

1. Amend the Standing Committee Amendments, mimeographed, page 2, Section 1, line 82, by inserting after the word "district" therein the following:

". Any public power district or any public power and irrigation district shall be deemed to be exercising corporate or proprietary powers in the purchase or sale of any power plant, electric generating plant, electric distribution system, or any parts or multiples thereof or in any transaction involving the taking title to or operating the same in any manner. Any agreement entered into by any public power district or by any public power and irrigation district that involves the purchase or sale of any such plant or system or parts or multiples thereof, shall contain a specific covenant to the effect that each city or village whose electric service is involved in, or affected by or included in said purchase or sale transaction shall be notified in writing ninety days prior to the date when said agreement shall become effective; and no such agreement shall be effective until ninety days after the day of its date".

Record vote was requested.

Voting in the affirmative, 7:

Adams, J. Jr.
Craven
Gutoski
Howard
Norman
Thomas
Tvrdik

Voting in the negative, 23:

Adams, E. A.
Callan
Carlson
Diers
Doyle
Dunn
Gantz
Garber
Gross
Hall
Hastings
Herrick
Lambert
Mekota
Mischke
Neubauer
Peterson
Rossiter
Schultz
Sorrell
Van Diest
Von Seggern
Westley

Not voting, 13:

Ashmore
Brady
Brodecky
Carsten
Johnson
Johnston
Klaver
Miller
Mueller
Murphy
Reavis
Reed
Thornton

A majority have failed to vote in the affirmative, the amendment was lost.

Adjournment

At 12:32 p. m. on motion by Mr. Hall the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

EIGHTIETH DAY

Legislative Chamber,
Lincoln, Nebraska, April 26, 1939.

The Legislature met at 9:03 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Carsten who was excused.

The Journal for the Seventy-ninth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

All members, one, opposing L. B. No. 185.

STANDING COMMITTEE REPORTS

Appropriations

LEGISLATIVE BILL NO. 516. Placed on General File.

(Signed) Brady, Chairman.

Enrollment and Review

Presented to Governor for Approval

Tuesday, April 25, 1939 at 2:10 p. m.

L. B. No. 180 L. B. No. 79 L. B. No. 304

(Signed) Craven, Chairman.

MOTION—To Change Position on General File

Mr. President: I move that L. B. No. 516 be placed at the head of General File. Brady.

The motion prevailed.

Member Excused

Mr. Van Diest was excused on account of the death of his niece.

SELECT COMMITTEE REPORT

Legislative Insurance Investigation Committee on Suggested Legislative Program

Insurance

Most of the companies organized under the laws of this state, as well as foreign companies operating in Nebraska, enjoy a good reputation, and this is the result of years of careful management, close supervision, and the faithful following of the soundest principles in organization and growth. These good companies are a credit to insurance business and are rendering a real service to the citizens of the state. It is often this good will and high regard for sound insurance which furnishes the professional promoters with their opportunity for commercializing insurance for personal gain. We address our remarks in this report to unsound practices and policies both in insurance companies and in their supervision by the Department of Insurance. The committee has had and used many valuable suggestions made by insurance companies, attorneys, the Department of Insurance, and citizens generally who are interested in keeping the business of insurance upon a sound basis.

We find that there are operating in Nebraska 588 various types and forms of insurance companies divided as follows:

Life insurance 148, of which 123 are foreign and 25 domestic companies. In the fire insurance field, there are 299 companies of which 225 are foreign and 74 domestic. In the casualty field, there are 141 companies of which 114 are foreign and 27 domestic. The number of life insurance policies in force in Nebraska, which includes stock companies, mutual legal reserves, fraternal, and burial associations, amounts to 820,988. Of this number the domestic life insurance companies have 116,996 policies. The income from the premiums of all companies licensed in Nebraska in 1938 amounts to $51,052,833.00. Of the insurance premiums paid, $10,966,875.00 represent premiums paid for fire, tornado, and hail insurance. These companies returned to the citizens $5,363,705.00 in the form of claims paid. The life insurance premiums represent approximately $29,000,000.00. Casualty, health and accident, fidelity and surety companies collected $10,207,000.00 in premiums and returned $4,772,000.00 to policyholders. These premium payments amount to more than all the taxes on real estate in Nebraska. In addition to this, these insurance companies paid to the state $98,220.18 in the form of agents and license fees. The companies also paid premium taxes from which the Department of Insurance turned into the state general fund, during this one-year period, $586,942.16. The business of insurance supports and affects more people in Nebraska than any other industry or occupation except agriculture.

The problems presented in the study made by your committee are of two classes, (1) those arising out of the form of our present statutes and, (2) those arising out of the administration of the insurance laws by the insurance department.

Legislative Problems

Legislative problems are presented under nine headings:

(1) Sale of stock in formation of companies.

(2) Formation of assessment companies in fields other than fire and windstorm.

(3) Operation of assessment companies without adequate resources.

(4) Procedure in mergers and reinsurance of companies.

(5) Absence of penalty for writing insurance without a license from the state.

(6) Lack of financial standards for burial associations.

(7) Unsoundness of so-called Thrift Insurance.

(8) Inability to bring non-admitted companies into Nebraska courts.

(9) Insufficient standards for capital requirements in organization of new mutual companies.

To meet these legislative problems your committee has recommended and introduced Legislative Bills 499 to 507, inclusive.

(1) Sales of Stock in Formation of Companies

Nebraska is one of the highest among states for number of home offices located in the state. The fact that promotions and mergers have been easy in Nebraska has encouraged the merchandising of life insurance companies. In the past, too many unscrupulous promoters have operated in Nebraska with but one purpose, and that, of obtaining funds to create a mushroom development of companies profitable to the promoters and often a source of loss to the stockholders and policyholders. Stock has been sold for three or four times its par value. It seems that in the formation of insurance companies the stockholders should control the formation of their companies in preference to the promoters. The sale of this promotional stock to the public should be discouraged.

Under our laws, promoters with little or no conscience have often fleeced our citizens out of funds with which to launch their insurance ventures. They have often wasted both the capital contributed and the trust funds accumulated for the policyholders. The same promoters then have reaped unearned profits by the sale of the business on the books. This type of manipulation and the selling down the river of insurance companies, whose assets belong to the policyholders, is not in the interest of good insurance or the citizens of this state. If all of these details concerning mergers and promotions had been given full publicity, there would be less complaint today about losses to the policyholders.

There can be no criticism in the case where companies are organized in good faith and for the primary purpose of furnishing good insurance at a reasonable cost; but the promotion of companies in a widespread scale where profit to the promoters is the main objective, should not long be permitted to go unchallenged. The public is fully aware of the evils just mentioned and they demand that corrections be made.

To correct this abuse your committee recommends the passage of L. B. No. 499. This bill will limit the sale of stock for organization purposes to one and one-fourth times its par value. This limits the promoters to a surplus margin which will keep the control of the company in the hands of those who have supplied the capital. In the opinion of your committee the effect will be to restrict company organizations to small groups which supply their own capital and end promotional stock selling to the public.

(2) Assessment Companies

In the past, it has been too easy for assessment companies of the health and accident type to organize in Nebraska. A number of companies are operating whose assets are less than $100.00. One of the difficulties in our present legislative policy is the giving of permission to enter many fields of insurance on an assessment basis. The fundamental principle of assessment insurance is that those who take policies agree to pay each other's losses. A company so organized, therefore, is never insolvent in a technical sense. Its assets consist of promises from policyholders to pay whatever is necessary to meet losses. In this field the state has experienced a generally satisfactory result in local assessment companies of a fire and windstorm type. This is typical of the farmers' mutual fire insurance organization. They are locally governed, the policyholders know each other, the officers receive little or no salary and they are operated more as a mutual aid society. In the wider field of assessment insurance a different story is told. Here the policyholders do not know each other, nor do they know those who experience claims or losses. It is doubtful if the policyholders realize that they are obligated to pay one another's claims. The promoter is not careful in underwriting. He is more anxious to get business than to pay claims. The files of these companies are full of resisted claims which will never be paid or adjusted. If companies desire to write this type of insurance, they should be willing to risk some of their own money. The importance of this is measured by the experience of assessment companies whose average life is approximately two and one-half years. The impairment of these companies makes it impossible for the people who have losses to collect their benefits.

To meet the situation presented, your committee recommends the passage of L. B. 500. Under this bill, the way is left open for further organization of farmers' mutuals over the state in the fire field; but future organizations on the assessment plan will be excluded in all other fields.

(3) Operation of Assessment Companies Without Adequate Resources

In order to further strengthen our laws with reference to existing assessment companies, your committee urges the adoption of L. B. 501. Because of their power to assess their members, such companies cannot become insolvent in the sense that the capital stock and reserves of a stock company or the reserves of a mutual company may become impaired and render it insolvent. Under the terms of the bill, the Department of Insurance may make an examination of such assessment companies; and if it finds that their assets and resources do not justify their continuance in business, it may determine what additional funds are necessary; and if the deficiency is not made good within thirty days, the company may be proceeded against as an insolvent company.

(4) Procedure in Mergers and Reinsurance of Companies

The management of an insurance company should not be permitted to barter and sell its obligations and the assets collected, which often belong to the policyholders, without a careful supervision, full publicity, and consent by the Department of Insurance and the participating policyholders.

In order to turn the spotlight on these transactions in the future and in order that full publicity and ample notice be given, your committee has introduced L. B. 502. We very earnestly stress the importance of this measure and recommend its enactment into law.

Under the present law a proposed reinsurance contract is simply submitted to the Department of Insurance and if it approves, the contract may be put through by a vote of the directors, if a stock company, or by the members at an annual meeting, if a mutual company. Only in case the matter is taken up at a special meeting of a mutual company is there any requirement that notice be given to stockholders or policyholders. This makes it too easy for those in control of a company to merge it with another company or reinsure its entire business.

In the bill it is provided that the proposed contract must first be approved by the boards of directors of both companies and submitted to and put on file with the Department of Insurance for examination and orders. If the department gives a preliminary approval, a notice must be sent to all stockholders and all participating policyholders, if a stock company, or to all policyholders, if a mutual company, giving them 60 days in which to file protest. Provision is also made for publication in a newspaper published at the place the company is located. In both the newspaper notice and the notice to be mailed to stockholders and policyholders, there must be included a full copy of the proposed contract so everyone interested can be fully informed. If any protest is filed, a hearing is to be held before the Department of Insurance within thirty days, but at least 5 days' notice must be given to those protesting. The Department must decide the matter within a reasonable time and give immediate notice of its decision to those interested so that if they wish to appeal to the courts they may do so.

With such notice and publicity provisions it would seem impossible to put over an unfair merger or reinsurance.

(5) Absence of Penalty for Writing Insurance Without a License

A bill has been introduced to correct the present defect in the law which permits agents to write insurance without proper licenses.

The committee has found that although the Nebraska statutes require that agents soliciting contracts for insurance must first obtain an agent's license, that no provision exists to penalize persons who act as agents and sell insurance without obtaining the license. Under the present law the state can control agents who are licensed, but is powerless to control unlicensed agents. One result of this statutory defect is that our people have been exposed to an unusual type of undesirable salesmen representing financially weak foreign insurance companies unable to gain legal admission to Nebraska, and all hiding behind the good repute of legitimate insurance.

These foreign companies who have not or cannot comply with the financial structure requirements of our statutes have sent their unlicensed agents into Nebraska pretending to have the sanction of our laws and by this species of misrepresentation induced our people to place their trust in their weak or insolvent companies. Foreign companies not even able to obtain the approval of insurance departments of their own states have sent their unlicensed agents into Nebraska to ply their schemes of misrepresentation upon our citizens. Because such foreign companies were not violating the laws of their own state when they sold insurance in Nebraska, and because Nebraska had no statute by which the agent could be penalized by fine or imprisonment, both company and agent escaped through technical loopholes. The Committee urges the passage of L. B. 503 which will block the loophole through which this charlatan practice escapes the Nebraska law.

(6) Lack of Financial Standards for Burial Associations

Burial associations should be required to put up proper assets and be treated as life insurance companies. The amount of insurance they should be permitted to write should be limited to amounts sufficient to insure a decent burial.

In 1931 a burial association statute was passed by the legislature, providing a system by which certificates of membership could be issued to a named beneficiary to provide funds to cover funeral expenses. The committee finds that the practical operation of these associations is simply to engage in the business of life insurance. Because of this fact, the same safeguards as protect life insurance policyholders should be applied to burial associations. Investment of their funds should be controlled by the same laws as are applicable to life insurance companies, and they should maintain the same reserves. Sales of stock in such corporations should be surrounded with the same restrictions as the committee has found desirable in the case of life insurance stock sales. It should be made clear to the buyer that he is purchasing a burial benefit certificate, and the amount of such certificates issued to any one individual should be limited to reasonable funeral expenses.

The committee has submitted L. B. 504 to cover these objectives and recommends its passage.

(7) Unsoundness of So-called Thrift Companies

The committee feels that thrift insurance is not in the interest of the public and has suggested legislation to remove this type of insurance contracts in Nebraska.

What has come to be known as "Thrift Insurance" first became prominent about 1923. It grew out of an idea that by pooling their small monthly contributions a group who desired to accumulate some savings could better invest and manage their capital as one fund than individually. Coupled with this thought was the further idea that persistence in the saving effort could be encouraged by penalizing those who ceased making monthly contributions before the end of the agreed term and dividing these penalty charges as a bonus among the persisting members. This bonus was called "Persistency Profits."

During the twenties, a number of "thrift" companies were organized in Nebraska to promote this plan which is obviously and basically a banking or savings association function. An incidental insurance twist was given the idea by including a small life insurance benefit in the participating certificates sold in the fund. The life insurance benefit was usually in an increasing amount equal to approximately 125% of the contributions made. These certificates, which contained a more or less detailed "Participation Clause" usually set out that a separate "dividend" fund would be set up into which would be deposited all profits from lapses and surrenders as well as excess interest earnings, savings from mortality and loading (the part of the premium which is included to defray costs of administration). Salesmen employed by these companies utilized this clause and particularly the idea of "persistency profits" to paint to their prospects a rosy picture of large returns on their investment. Many "thrift" certificates were sold on the theory that the purchaser would be one of the few in the group who would persist in his contributions over the full ten (10) year term and that he would be rewarded by a large bonus or dividend accumulated from the penalties assessed against the members of the group who would fall by the wayside. Too frequently this element of speculative gain was so emphasized that the impression was left in the buyer's mind that the anticipated dividend was a guaranteed benefit. That the actual dividends accumulated and distributed have not met the buyer's expectations is a notorious fact. The "persistency profits" from charges against lapses and surrenders did not reach the size prophesied and the companies were able to set aside only relatively small amounts from the other usual sources of profit. Mortality savings were not great because the life insurance feature was an incidental.

From the standpoint of the public and the insurance buyer there are definite objections to "thrift insurance";

1. There is no economic justification for a savings plan which holds out the prospect of large speculative profits for a few to be acquired at the expense of the many who cannot make contributions for the full term.

2. The idea of "persistency profits" lends itself readily to gross misrepresentation.

3. The plan while masquerading as insurance because of an incidental insurance feature is in reality a banking or savings idea and should be considered as such.

4. Because the plan made no differentiation in the amount of the contribution because of age, the cost of the mortality feature was not fairly spread over the group.

5. Standard old line endowment insurance providing for the accumulation of a definite amount of savings and conferring a larger constant amount of death protection can be obtained at most ages for a premium relatively much lower than "thrift insurance."

We therefore recommend passage of L. B. 505, which simply prohibits "thrift insurance" plans in any life insurance policies in this state.

(8) Inability to Bring Non-admitted Companies Into Nebraska Courts

Another bill is recommended which will place unlicensed companies selling insurance by radio, mail and newspaper advertising, under the jurisdiction of the courts of Nebraska.

With the rapid growth of insurance selling by direct mail, by radio, and by newspaper advertising, the problem of obtaining jurisdiction in Nebraska courts over such insurers not admitted to do business in Nebraska, calls for new legislation.

This kind of insurance is usually provocative of much misunderstanding and claimants are put to the disadvantage of going to other states to press their claims. L. B. 506, introduced by this committee, provides that when the non-admitted companies deliver the policy in this state, the act of delivery makes the director of insurance the agent of the company for service of process. The effect of the bill will be to enable policyholders to bring the company into our state courts.

(9) Insufficient Standards for Capital Requirements in Organization of New Mutual Companies

Mutual insurance companies may be formed to transact any of the 14 classes of insurance specified under Section 44-401 of the statute. To begin business, assets of ten times the maximum single risk, and 200 risks are required. The maximum single risk is defined by Section 44-411 as three times the average policy, or one-eighth of one per cent of the insurance in force, whichever is greater. By starting with 200 small policies, for example, 200 policies with only $250.00 at risk, the average risk would be $250.00, three times that would make $750.00 the maximum single risk, and ten times that, or $7,500.00 would be the asset requirement.

Having secured license to do business, the size of the policies could be increased. While the regular legal reserve would be required on such larger policies, the asset requirement in addition to the reserve would remain at only $7,500.00, a sum clearly inadequate for proper protection of policyholders under many of the kinds of insurance specified in 44-401. We, therefore, recommend that a minimum of $30,000.00 be required for each class of business to be transacted by mutual companies and L. B. 510 amending Section 44-410 has been introduced to accomplish that result.

(Signed) A. L. Miller, Chairman.

The report was accepted.

MOTION—To Amend

Mr. President: I offer the following amendment to amended Legislative Resolution No. 7, as adopted on the Thirty-seventh Day, and move its adoption:

Amend the amended Legislative Resolution, (Legislative Journal, Thirty-seventh Day), Section 1, line 34 by striking the word "eightieth" (originally seventieth) and inserting in lieu thereof the word "eighty-ninth".

(Signed) Miller, Chairman.

The motion prevailed.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage.

LEGISLATIVE BILL NO. 175. (With emergency clause)

A bill for an Act to amend Secs. 54-954 and 54-955, Comp. St. Supp., 1937, relating to animals; to protect the health thereof by preventing, suppressing, controlling and eradicating anthrax from among them; to prescribe the conditions under which gratuitous vaccination may be done; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 34:

Ashmore
Brady
Brodecky
Carlson
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Miller
Mischke
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Thomas
Thornton
Tvrdik
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 9:

Adams, E. A.
Adams, J. Jr.
Callan
Carsten
Mekota
Mueller
Murphy
Sorrell
Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 270. (With emergency clause)

A bill for an Act to amend Secs. 43-513 and 43-515, Comp. St. Supp., 1937, relating to public welfare, public health and social security; to provide that if the funds for the payment of assistance with respect to dependent children shall at any time become insufficient to pay the full amount of such assistance for each dependent child entitled thereto, then the amount for each child shall be reduced pro rata; to provide if the assistance payments so made to said children are not being properly managed or applied that the payments shall be ordered made to some other relative or qualified person as defined by law; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 37:

Ashmore
Brady
Garber
Gross
Klaver
Lambert
Reavis
Reed

Brodecky
Callan
Carlson
Craven
Diers
Doyle
Dunn
Gantz
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Mekota
Miller
Mischke
Murphy
Neubauer
Norman
Peterson
Rossiter
Schultz
Sorrell
Thomas
Thornton
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 6:

Adams, E. A.
Adams, J. Jr.
Carsten
Mueller
Tvrdik
Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement for Journal

Mr. President: Had I been present when L. B. No. 270 was voted on, I would have voted yes. (Signed) Tvrdik.

LEGISLATIVE BILL NO. 344. (With emergency clause)

A bill for an Act relating to and regulating the manufacture and sale of frozen desserts; regulating the manner of issuing and revoking licenses in reference thereto; prescribing regulations for the conduct of such business; defining frozen desserts; regulating weight thereof; prohibiting the sale of imitation or adulterated food and drugs; establishing sanitary provisions; to amend Sec. 81-903, Comp. St. Supp., 1937; providing a penalty for the violation of this Act; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams, J. Jr.
Ashmore
Brady
Dunn
Gutoski
Hall
Lambert
Mekota
Miller
Rossiter
Schultz
Sorrell

Brodecky
Callan
Carlson
Craven
Diers
Doyle
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Mischke
Mueller
Murphy
Neubauer
Peterson
Reed
Thomas
Thornton
Tvrdik
Von Seggern
Westley

Voting in the negative, 1: Gross.

Not voting, 7:

Adams, E. A.
Carsten
Gantz
Garber
Norman
Reavis
Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 41. Laid over.

LEGISLATIVE BILL NO. 362. Laid over.

MOTION— To Return to Select File

Mr. President: I move that L. B. 129 be returned from E and R (final) to Select File and that unanimous consent be granted to make the following Specific amendment:

Amend Standing Committee Amendments, page 3, No. 22, Line 6, by striking the first word in said line "and" and insert in lieu thereof the word "any".

(Signed) Gutoski, Thomas.

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL NO. 494. E and R amendments as found in the Legislative Journal for the Seventy-ninth Day were adopted.

The following amendment by Mr. Brady was adopted by unanimous consent:

Amend the printed bill, Sec. 2, page 2, line 28, by striking the comma after 1937 and inserting the comma after the first word "fund"; strike the second word "in".

LEGISLATIVE BILL NO. 461. E and R amendments as found in the Legislative Journal for the Seventy-ninth Day were adopted.

LEGISLATIVE BILL NO. 417. E and R amendments as found in the Legislative Journal for the Seventy-ninth Day were adopted.

LEGISLATIVE BILL NO. 460. No amendments.

LEGISLATIVE BILL NO. 2. E and R amendments as found in the Legislative Journal for the Seventy-ninth Day were adopted.

Laid over.

LEGISLATIVE BILL NO. 44. E and R amendments as found in the Legislative Journal for the Seventy-ninth Day were adopted.

John Adams, Jr. moved to refer to General File for the following Specific amendment:

Amend the General File amendment, mimeographed, dated April 13, 1939 by striking all of said amendment.

The motion prevailed with 20 ayes, 12 nays, 11 not voting.

Referred for Engrossment

L. B. No. 494 L. B. No. 461 L. B. No. 417 L. B. No. 460

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL NO. 494. Correctly Reengrossed.

(Signed) Craven, Chairman.

GENERAL FILE

Unanimous consent granted to consider L. B. No. 516.

LEGISLATIVE BILL NO. 516. Read and considered.

Mr. Brady moved to suspend the rules and refer to E and R for engrossment.

The motion prevailed with 34 ayes, 0 nays, 9 not voting.

Referred to E and R for engrossment.

Adjournment

At 12:54 p. m. on motion by Mr. Hall the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

EIGHTY-FIRST DAY

Legislative Chamber,
Lincoln, Nebraska, April 27, 1939.

The Legislature met at 9:06 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Eightieth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Lambert, one, favoring L. B. No. 174; all members, one, favoring public power and irrigation projects and development of the Republican River valley.

Approved by Governor

April 25th, 1939.

To the Members of the Legislature:

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bills:

L. B. No. 79 L. B. No. 180 L. B. No. 304

Respectfully submitted,
(Signed) Otho K. De Vilbiss
Secretary to the Governor

STANDING COMMITTEE REPORTS

Claims and Deficiencies

LEGISLATIVE RESOLUTION NO. 8. Placed on General File.
(Signed) Ernest A. Adams, Chairman.

Enrollment and Review

Correctly Engrossed

L. B. No. 131 L. B. No. 516

Correctly Enrolled

L. B. No. 192 L. B. No. 175 L. B. No. 270
(Signed) Craven, Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 192 L. B. No. 175 L. B. No. 270

MOTION—To Change Position on General File

Mr. President: I move that L. B. No. 400, L. B. No. 431 and L. B. No. 410 be placed on General File immediately following L. B. No. 190. (Signed) Carlson.

Substitute Motion

Mr. President: I move, as a substitute motion, that each member of the Legislature be permitted to select one bill on General File to be placed after committee bills and appropriation bills in the order now on General File. (Signed) Miller.

The substitute motion prevailed with 23 ayes, 15 nays, 5 not voting.

MOTION—To File Preference With Clerk

Mr. President: I move that the members file with the Clerk their choice of preferred bill, the General File to be arranged in proper order on Monday morning. (Signed) Ashmore.

The motion prevailed.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 517. By Committee on Claims and Deficiencies.

A bill for an Act to make appropriations for the payment of claims filed against the state of Nebraska in the office of the auditor of public accounts, not heretofore paid, and for which no appropriation has been made; to make appropriations for the payment of miscellaneous claims presented to the Legislature for which no appropriations have been made; to provide the manner in which certain moneys so appropriated shall be paid and expended; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 517 be read the second time now and placed on General File. E. A. Adams.

The motion prevailed with 36 ayes, no nays, 7 not voting.

MOTION—To Suspend Rules for Introduction of Bill

Mr. President: I move that the rules be suspended for the introduction of a bill regarding appropriations. Callan.

The motion prevailed with 37 ayes, 2 nays, 4 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 518. By Callan of Gage by Special Order of the Legislature.

A bill for an Act to amend paragraph 1, Section 37, Chapter 193, Session Laws of Nebraska, 1937, relating to appropriations for the state government of the state of Nebraska for the biennium beginning July 1, 1937 and ending June 30, 1939; to limit appropriations for the uses and purposes of the Bureau of Food, Drugs and Oil in the Department of Agriculture and Inspection for said biennium to three hundred ten thousand dollars; to repeal the original paragraph of said section; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 518 be read the second time now. Callan.

The motion prevailed with 36 ayes, 2 nays, 5 not voting.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

LEGISLATIVE BILL NO. 517. Placed on General File.

LEGISLATIVE BILL NO. 518. Referred to Committee on Appropriations.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 41.

A bill for an Act to amend Sections 79-2705 and 32-1106, Compiled Statutes of Nebraska, 1929, relating to schools; to provide a method for the election of members of the board of education in metropolitan cities; and to repeal said original sections.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 29:

Ashmore	Dunn	Johnson	Peterson
Brodecky	Gantz	Lambert	Reavis

Callan
Carlson
Carsten
Craven
Diers
Doyle
Garber
Gross
Gutoski
Hall
Hastings
Miller
Mischke
Mueller
Murphy
Norman
Reed
Rossiter
Schultz
Tvrdik
Von Seggern

Voting in the negative, 0.

Not voting, 14:

Adams, E. A.
Adams, J. Jr.
Brady
Herrick
Howard
Johnston
Klaver
Mekota
Neubauer
Sorrell
Thomas
Thornton
Van Diest
Westley

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 362. Laid over.

LEGISLATIVE BILL NO. 130. Laid over.

Explanation of Vote

Mr. President: If I had been present on third reading, I would have voted for L. B. No. 41. (Signed) John Adams, Jr.

Mr. President: Had I been present for third reading, I would have voted "aye" on L. B. No. 41. (Signed) Thomas.

SELECT FILE

LEGISLATIVE BILL NO. 462. Mr. Mekota moved to indefinitely postpone.

After discussion Mr. Von Seggern moved the previous question.

The motion prevailed with 31 ayes, 1 nay, 11 not voting.

Record vote was requested on the Mekota motion.

Voting in the affirmative, 17:

Adams, J. Jr.
Carlson
Gross
Hastings
Johnston
Klaver
Schultz
Sorrell

Diers
Dunn
Gantz
Herrick
Johnson
Mekota
Neubauer
Von Seggern
Westley

Voting in the negative, 19:

Ashmore
Brady
Callan
Carsten
Garber
Gutoski
Hall
Howard
Lambert
Miller
Mischke
Mueller
Murphy
Norman
Peterson
Reed
Thomas
Thornton
Tvrdik

Not voting, 7:

Adams, E. A.
Brodecky
Craven
Doyle
Reavis
Rossiter
Van Diest

A majority having failed to vote in the affirmative, the motion was lost.

Laid over.

MOTION—To File Preference Before 6 O'clock

Mr. President: I move that all requests for preference of bills on General File be in the hands of the Clerk by six o'clock or they will not be advanced. (Signed) Ashmore.

The motion prevailed.

Members Excused

Messrs. Mueller, Herrick, Hall, Schultz, Tvrdik, Reavis, Norman, Van Diest and Johnston were excused for the session on Friday.

Adjournment

At 12:10 p. m. Mr. Brady moved that the rules be suspended and that the Legislature adjourn until 7:00 a. m. Friday.

The motion prevailed with 39 ayes, no nays, 4 not voting.

Hugo F. Srb,
Clerk of the Legislature.

EIGHTY-SECOND DAY

Legislative Chamber,
Lincoln, Nebraska, April 28, 1939.

The Legislature met at 7:04 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Messrs. Ernest A. Adams, Hall, Herrick, Johnston, Mueller, Norman, Reavis, Schultz and Tvrdik who were excused.

The Journal for the Eighty-first Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Carsten, one, opposing L. B. No. 185 and L. B. No. 29.

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL NO. 176. Placed on General File.

(Signed) Howard, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 487. Placed on Select File with amendments.

E and R amendments to L. B. No. 487:

I. Amend the General File amendments, adopted April 5, 1939, original, Amendment No. 2 (the General File amendments, mimeographed, Amendment No. 2) by striking all of Section 1 of said Amendment No. 2, pages 1, 2, 3 and 4 of the original bill (pages 1 and 2 of the mimeographed amendments) down to and including the punctuation and word ": **Provided,**" in line 65 of said original amendments (line 53 of the mimeographed copy of said amendments) and by inserting in lieu thereof the following:

> "Section 1. That Sec. 79-2722 (b), Comp. St. Supp., 1937 (First Section 6, Chapter 176, Session Laws of Nebraska, 1937), be amended to read as follows:
>
> 79-2722. (b) The aggregate school tax shall not in any one year exceed thirteen mills on the dollar upon the actual value; or sixty-five mills on the dollar upon one-fifth of the actual value, of all the taxable property of the district: Provided,".

II. Amend the General File amendments, original, Amendment No. 2, page 7 (the mimeographed copy, Amendment No. 2, page 4) by striking all of Section 3 of said Amendment No. 2 thereon and by inserting in lieu thereof the following:

> "Sec. 3. That said original Sec. 79-2722 (b), Comp. St. Supp., 1937 (First Section 6, Chapter 176, Session Laws of Nebraska, 1937), is hereby repealed; and that Sec. 79-2722 (a), Comp. St. Supp., 1937 (Section 2, Chapter 183, Session Laws of Nebraska, 1937), is hereby repealed."

III. Amend the General File amendments, original, page 8, Amendment 3 (mimeographed copy, page 4, Amendment 3) by striking that part of said Amendment No. 3 commencing with the words "to amend" in line 8 of the original amendments (line 6 of the mimeographed copy) down to and including the word and punctuation "schools;" in line 13 of the original copy (line 11 of the mimeographed copy) and by inserting in lieu thereof the following:

> "to amend Sec. 79-2722 (b), Comp. St. Supp., 1937 (First Section 6, Chapter 176, Session Laws of Nebraska, 1937), relating to schools;".

IV. Amend the General File amendments, page 9, line 47, Amendment No. 3 (the mimeographed copy, page 4, Amendment No. 3, line 38) by striking therefrom the words "as amended" therein and by inserting in lieu thereof the following:

> "; to repeal Sec. 79-2722 (a), Comp. St. Supp., 1937 (Section 2, Chapter 183, Session Laws of Nebraska, 1937),"

LEGISLATIVE BILL NO. 460. Replaced on Select File with amendments.

E and R amendments to L. B. No. 460:

I. Strike General File amendments, Nos. 1 and 2, dated April 19, 1939.

II. Amend the Standing Committee amendments, original, page 1, Amendment 1, line 4 (mimeographed, page 1, Amendment 1, line 4) by striking therefrom the words "On and after July 1, 1939" and by inserting in lieu thereof the following:

> "During the biennium commencing July 1, 1939 and ending June 30, 1941".

III. Amend the Standing Committee amendments, original, page 1, Amendment 1, line 11 (mimeographed, page 1, Amendment 1, lines 10 and 11) by striking therefrom the words "the time" and by inserting in lieu thereof the following:

> "said biennium while"

VI. Amend the Standing Committee amendments, original, page 1, Amendment 2, lines 5 and 6 (mimeographed, page 1, Amendment 2, line 5) by striking therefrom "the Board of Control of state institutions to" and by inserting in lieu thereof the following:

> "that the Board of Control of state institutions shall, during the biennium commencing July 1, 1939 and ending June 30, 1941,".

Correctly Engrossed

L. B. No. 417 L. B. No. 461

Correctly Enrolled

L. B. No. 41 L. B. No. 344

(Signed) Craven, Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 41 L. B. No. 344

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 494. (With emergency clause)

A bill for an Act to amend Sec. 68-317, Comp. St. Supp., 1937; to amend paragraph 1, Section 49, Chapter 193, Session Laws of Nebraska, 1937; and to amend Sections 1 and 2, Legislative Bill No. 13, Fifty-third Session, Nebraska State Legislature, 1939, relating to the State Assistance Fund; to limit appropriations for the uses and purposes of said fund for the biennium beginning July 1, 1937 and ending June 30, 1939 to $7,800,000.00; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to precedure having been complied with, the question is, 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 34:

Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hastings
Howard
Johnson
Klaver
Lambert
Mekota
Miller
Mischke
Murphy
Neubauer
Peterson
Reed
Rossiter
Sorrell
Thomas
Thornton
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 9:

Adams, E. A.
Hall
Herrick
Johnston
Mueller
Norman
Reavis
Schultz
Tvrdik

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL NO. 494. Correctly enrolled

(Signed) Craven, Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill No. 494

Members Excused

Mr. Garber was excused for the session on Monday May first.

Mr. Miller was excused for the sessions on May second, third and fourth.

Adjournment

At 7:30 a. m. on motion by Mr. Diers the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

EIGHTY-THIRD DAY

Legislative Chamber,
Lincoln, Nebraska, May 1, 1939.

The Legislature met at 9:00 a.m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Mueller and Mr. Garber who were excused.

The Journal for the Eighty-second Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Carsten, one, favoring L. B. No. 185; all members, one, favoring L. B. No. 462.

Communications

A letter was read from Speaker Bankhead acknowledging receipt of a copy of Legislative Resolution No. 25 in regard to Interstate Transit Privileges.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for Approval

Thursday, April 27, 1939 at 4:15 p. m.

L. B. No. 192 L. B. No. 175 L. B. No. 270

Friday, April 28, 1939 at 8:00 a. m.

L. B. No. 41
L. B. No. 344
L. B. No. 494

(Signed) Craven, Chairman

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 516. (With emergency clause)

A bill for an Act to amend Section 1, Legislative Bill No. 8, Fifty-third Session, Nebraska State Legislature, 1939, relating to the payment of compensation of officers and employees of the Legislature, traveling expenses of members, the payments to be made for supplies and other incidental expenses incurred during the Fifty-third Session, Nebraska State Legislature, during the biennium ending June 30, 1939, and for ad interim activities of said Legislature during the biennium ending June 30, 1941; to appropriate the sum of $53,022.89 therefor; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Lambert
Mekota
Miller
Mischke
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0:

Not voting, 3: Garber Klaver Mueller

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL NO. 516. Correctly enrolled.

(Signed) Craven, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill No. 516.

SELECT FILE

LEGISLATIVE BILL NO. 462. Referred to E and R for engrossment with 17 ayes, 13 nays, 13 not voting.

LEGISLATIVE BILL NO. 2. The following amendment offered by Mr. Tvrdik was adopted by unanimous consent:

Amend Sec. 2 of the (mimeographed) General File amendment, Page 3, line 3 after the word "products" and before the word "being" insert ", including livestock," and in line 4 after the word "farm" and before the word "or" insert the words ", feed lot" and in line 7, after the word "dairy" and before the word "or" insert the words ", feed lot".

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 235. E and R amendments as found in the Legislative Journal for the Seventy-ninth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 129. Specific amendment by Mr. Gutoski and Mr. Thomas, found in the Legislative Journal for the Eightieth Day was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 487. E and R amendments as found in the Legislative Journal for the Eighty-second Day were adopted.

Mr. Thomas offered the following amendment which was adopted by unanimous consent:

Amend the Thomas amendment, offered and adopted on April 5, (original) page 5, line 20, page 8, line 30 (mimeographed copy) page 3, line 12, page 4, line 34, by striking the words "to exceed" and inserting in lieu thereof the words "less than".

Unanimous consent was granted to strike the names John Adams, Jr., Peter P. Gutoski and Sam Klaver from the bill as introducers.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 460. E and R amendments as found in the Legislative Journal for the Eighty-second Day were adopted.

Referred to E and R for engrossment with 25 ayes, 1 nay, 17 not voting.

MOTION—To Amend Rules

Mr. President: I move that the rules be amended so that after a bill has been placed on Select File, it shall take 22 votes to amend same or refer it back to General File; adoption of E and R committee amendments excepted. (Signed) Doyle

Substitute Motion

Mr. President: As a substitute, I move that any bill on Select File be open to amendment, section by section, or the bill as a whole.

(Signed) Brady

MOTION—To Amend Rules

Mr. President: I move to amend Rule XI, subsection 2 by striking the remainder of the sentence following the word "writing".

(Signed) Schultz

Under the rules the suggested amendments were referred to the Committee on Rules.

MOTION—To Suspend Rules

Mr. President: I move that Rule VIII, Sec. 3, on page 24 be amended by striking the figure "9" in line 2 and inserting in lieu thereof the figure "8". (Signed) Diers

The motion was lost with 19 ayes, 12 nays, 12 not voting.

GENERAL FILE

Mr. Gross raised the question as to the position of L. B. No. 168, No. 170, No. 185 and No. 190 on General File.

The Chair ruled they should follow L. B. No. 154 on General File.

LEGISLATIVE BILL NO. 44. John Adams, Jr., moved that his amendment found in the Legislative Journal for the Eightieth Day be adopted.

Record vote was requested.

A call of the House was ordered.

The call was raised.

Voting in the affirmative, 20:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Callan
Carsten
Diers
Dunn
Howard
Mekota
Mischke
Murphy
Norman
Peterson
Reavis
Reed
Schultz
Sorrell
Thomas
Westley

Voting in the negative, 18:

Brodecky
Carlson
Craven
Doyle
Gantz
Gross
Hall
Hastings
Herrick
Johnson
Johnston
Klaver
Lambert
Neubauer
Thornton
Tvrdik
Van Diest
Von Seggern

Not voting, 5:

Garber
Gutoski
Miller
Mueller
Rossiter

The amendment was adopted.

John Adams, Jr. moved to refer to E & R for engrossment.

Record vote was requested.

Voting in the affirmative, 20:

Ashmore
Brady
Callan
Carsten
Diers
Dunn
Hall
Hastings
Howard
Johnston
Mekota
Mischke
Murphy
Peterson
Reavis
Reed
Schultz
Sorrell
Thomas
Westley

Voting in the negative, **16:**

Brodecky
Carlson
Craven
Doyle
Gantz
Gross
Gutoski
Herrick
Johnson
Klaver
Lambert
Neubauer
Norman
Thornton
Tvrdik
Van Diest

Not voting, 7:

Adams, E. A.
Adams, J. Jr.
Garber
Miller
Mueller
Rossiter
Von Seggern

The motion prevailed.

Referred to E and R for engrossment.

MOTION—To Change Position on General File

Mr. President: I move that L. B. No. 168, No. 170, No. 185 and No. 190 be placed at the head of General File.

Gross

The motion prevailed.

MOTION—To Recess

At 11:05 a. m. on motion by Mr. Diers, the Legislature recessed for fifteen minutes.

After Recess

The Legislature reconvened at 11:30 a. m. President Johnson presiding.

The roll was called and all members were present except Mr. Garber and Mr. Mueller who were excused.

MOTION—To Change Position on General File

Mr. President: I move that L. B. No. 74 and L. B. No. 76 be placed to a point immediately following L. B. No. 190 on General File.

(Signed) Tvrdik

The motion prevailed with 23 ayes, 1 nay, 19 not voting.

MOTION—To Change Position on General File

Mr. President: I move that L. B. No. 299, L. B. No. 300 and L. B. No. 301 be advanced on General File immediately following L. B. No. 76.

(Signed) Hall

The motion was lost with 19 ayes, 15 nays, 9 not voting.

GENERAL FILE

LEGISLATIVE BILL NO. 168. Mr. Brady offered the following General File amendments:

1. Amend the Standing Committee Amendments, April 3, 1939, mimeographed, amendment 1, page 3, line 111, by inserting after the word and punctuation "state," and before the words "such purchase" therein the following:

"said district is hereby prohibited from paying any compensation or commission to brokers, attorneys, accountants or other agents for any services rendered in consummating said acquisition or sale, a sum which shall represent more than the reasonable value of said services rendered but never exceeding the sum of five thousand dollars for all said promotion fees or services rendered in any one acquisition or purchase transaction, unless the state engineer for the department of roads and irrigation shall, after notice and public hearing, otherwise order, and the order of said state engineer in the premises shall be deemed and considered a final order subject to appeal to the supreme court of Nebraska in the same manner as appeals from final orders of the state railway commission are taken to said supreme court, as provided in Article 5, Chapter 75, Compiled Statutes of Nebraska, 1929, as amended; and provided further,".

2. Amend the Standing Committee amendments, April 3, 1939, mimeographed, amendment 2, pages 3 and 4, by expanding the provisions of said title so as to cover the provisions of the foregoing amendment.

As a substitute motion, Mr. Dunn offered the following amendment:

1. Amend the Standing Committee Amendments, April 3, 1939, mimeographed, amendment 1, page 3, line 111, by inserting after the word and punctuation "state," and before the words **"such purchase"** therein the following:

"said district is hereby prohibited from paying any compensation or commission to brokers, attorneys, accountants or other agents for any services rendered in consummating said acquisition or sale, unless the state engineer for the department of roads and irrigation shall, after notice and public hearing, order the amounts to be paid and the order of said state engineer in the premises shall be deemed and considered a final order subject to appeal to the supreme court of Nebraska in the same manner as appeals from final orders of the state railway commission are taken to said supreme court, as provided in Article 5, Chapter 75, Compiled Statutes of Nebraska, 1929, as amended; and provided further,".

2. Amend the Standing Committee amendments, April 3, 1939, mimeographed, amendment 2, pages 3 and 4, by expanding the provisions of said title so as to cover the provisions of the foregoing amendment.

Visitor

Mr. R. L. Fernald, State Senator from Maine, was introduced and addressed the Legislature briefly.

Adjournment

At 1:00 p. m. Mr. Diers moved that the rules be suspended and that the Legislature adjourn until 8:00 a. m. Tuesday.

The motion prevailed with 32 ayes, 1 nay, 10 not voting.

Hugo F. Srb,
Clerk of the Legislature.

EIGHTY-FOURTH DAY

Legislative Chamber,
Lincoln, Nebraska, May 2, 1939.

The Legislature met at 8:00 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Messrs. Garber, Miller and Mueller who were excused.

The Journal for the Eighty-third Day was approved.

PETITIONS AND MEMORIALS

Mr. Carsten presented a petition approving L.B. No. 336.

Invitation

A letter was read from the Unicameral Club extending an invitation to the members of the Legislature to attend a picnic at Pioneer Park on Wednesday evening May third.

STANDING COMMITTEE REPORTS

Public Works

LEGISLATIVE BILL NO. 515. Placed. on General File with amendments.

Standing Committee amendments to L.B. No. 515:

1. Amend the original bill, page 3, Section 1, line 51 (the printed bill, page 2, Section 1, line 40) by striking therefrom the words "**and conspicuously**" and by inserting in lieu thereof the word and punctuation "**tagged,**".

2. Amend the original bill, pages 4 and 5 (the printed bill, pages 3 and 4) by striking all of Sections 2 and 3 thereon and by inserting in lieu thereof the following:

"Sec. 2. All motor vehicles now owned or hereafter acquired by the state of Nebraska, except motor vehicles used or controlled by the state sheriff or by the Nebraska Safety Patrol for state law enforcement purposes, shall be indelibly and conspicuously lettered on each side thereof in plain letters not less than two inches in height and with not less than one-fourth inch stroke, the words **"State of Nebraska"**, and following such words the name of whatever board, department, bureau, division, institution, including The University of Nebraska or state normal school, office or other state expending agency of the state to which such motor vehicle belongs. All road machinery now owned or hereafter acquired by the Department of Roads and Irrigation, or its successors by whatever name known, shall be marked or tagged by means of such system of numbering as the state engineer shall direct so that said road machinery, the property of said state, may be readily identified. All motor vehicles now owned, used or controlled by any state expending agency hereinbefore mentioned, that shall have been lettered on each side thereof with the words **"State of Nebraska"** together with the legend hereinbefore required in this section prior to the effective date of this Act, shall not be re-marked or relettered, as herein required, unless said motor vehicle is repainted or unless the lettering or legend thereon shall become illegible.

Sec. 3. Within thirty days from and after the effective date of this Act, it shall be the duty of each and every agency of the state of Nebraska, as set forth in the preceding section, to present and deliver all motor vehicles now owned or used by it to the nearest district maintenance shop of the Department of Roads and Irrigation for marking and lettering as directed by the provisions of the preceding section; and each and every new motor vehicle acquired by any such expending agency shall likewise be presented and delivered to said department for appropriate marking or lettering as required by the terms and conditions of the preceding section. The Department of Roads and Irrigation may provide a distinctive license plate for all state-owned motor vehicles; and, it shall be the duty of each state expending agency to display said distinctive license plates on each of said state-owned motor vehicles used or controlled by said agency, if and when said license plates are issued by said department to said agency. It shall be the duty of the Department of Roads and Irrigation properly to letter and mark all state-owned motor vehicles presented to it for marking and lettering in accordance with the provisions of this Act; and it shall further be the duty of said department to mark and number all road machinery now owned or hereafter acquired by said department for the purpose of identification of such state-owned road machinery. On November 1, 1939 and on November 1 of each year thereafter, it shall be the duty of each expending agency of the state of Nebraska now owning or hereafter acquiring any motor vehicle or piece of road equipment, as provided in the preceding section, to make to said department a detailed written report concerning the number, kind, use and estimated value of all state-owned motor vehicles or units of road machinery; and said department shall, from the reports from the several expending agencies so furnished to it, make to the governor such detailed written report concerning said state-owned motor vehicles, used or controlled by it; and the governor shall include said reports received from said department in his message at the commencement of each regular session of the Legislature. Each and every expending agency of the state of Nebraska required to present and deliver its state-owned motor vehicles or its units of road machinery to the Department of Roads and Irrigation for the purpose of marking, lettering or numbering, as the case may be, shall, upon receipt of proper statement from said Department of Roads and Irrigation, forthwith from the maintenance funds of said state expending agencies, reimburse said department for the cost of marking, lettering or numbering such motor vehicle or unit of road machinery, as the case may be.".

3. Amend the original bill, page 5, Section 4, line 3 (the printed bill, page 4, Section 4, line 3) by inserting after the word "not" therein the word and punctuation "numbered,".

4. Amend the original bill, page 1, title, line 2 (the printed bill, page 1, title, line 2) by striking all of said title after the word and punctuation "property;" therein and by inserting in lieu thereof the following:

"to provide that the capitol custodian shall cause to be marked, tagged or stamped all property under his control, now owned or hereafter acquired by the state of Nebraska; to amend Sec. 72-707, Comp. St. Supp., 1937; to provide that the Department of Roads and Irrigation shall mark, letter or number as the case may be, all state-owned motor vehicles or units of road machinery now owned or hereafter acquired by the state of Nebraska except motor vehicles used or controlled by the state sheriff or by the Nebraska Safety Patrol for state law enforcement purposes; to require all state expending agencies to deliver such state-owned motor vehicles to the nearest district maintenance shop of said department for marking or lettering, as the case may be; to provide that said state agencies shall reimburse out of their respective maintenance funds said department for the actual cost or expense of marking or lettering said motor vehicles; to provide that said department may design and issue to said state agencies distinctive license plates for attachment by said agencies upon all state-owned motor vehicles used or controlled by them; to provide for reporting the number, use, description and estimated value of such state-owned motor vehicles and units of road equipment to the department, to the governor and to the Legislature; to provide penalties for the violation thereof; to repeal said original section; and to declare an emergency.".

(Signed) Howard, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 447. Placed on Select File with amendments.

E and R amendments to L. B. No. 447:

(All amendments refer to section numbers of the bill as amended in the Standing Committee Amendments adopted April 6, 1939, and not to section numbers of the amendments.)

I. Amend the Standing Committee Amendments, page 2, Section 1, line 38 (mimeograph copy, page 1, Section 1, line 38) by striking the word "State", before the word "unemployment", and inserting in lieu thereof the word **"state"**.

II. Amend the Standing Committee Amendments, page 2, Section 1, line 47 (mimeograph copy, page 2, Section 1, line 46) by striking the punctuation ";" after the word "means" and inserting in lieu thereof the punctuation ":".

III. Amend the Standing Committee Amendments, page 3, Section 1, line 84 (mimeograph copy, page 2, Section 1, lines 82 and 83) by striking the following: "Section 8", and inserting in lieu thereof the following:

"Sec. 48-708, Comp. St. Supp., 1937, as amended"

and the Standing Committee Amendments, page 4, line 86 (mimeograph copy, page 2, line 84) strike the following: "Section 8 (c)" and insert in lieu thereof, the following:

Sec. 48-708 (c), Comp. St. Supp., 1937, as amended,"

IV. Amend the Standing Committee Amendments, page 4, Section 1, line 88 (mimeograph copy, page 2, Section 1, line 86) by striking the parenthesis and figure "(1)", and in line 89 of the Committee Amendments (line 87, mimeograph copy) strike the word "service" following the word "means", and insert in lieu thereof the following: **": (1) Service".**

IV-a. Amend the Standing Committee Amendments, page 5, Section 1, line 127 (mimeograph copy, page 3, Section 1, line 123) by striking the parenthesis and figure "(1)" and inserting in lieu thereof, "**(A)**"; and in the same line strike the parenthesis and figure "(2)" and insert "**(B)**" in lieu thereof; in line 128 of the Committee Amendments (line 124, mimeograph copy) strike "(3)" and insert "**(C)**" in lieu thereof; in line 132 of the Committee Amendments (line 128 mimeograph copy) strike "(4)" and insert "**(D)**" in lieu thereof; in line 134 of the Committee Amendments (line 130, mimeograph copy) strike "(5)" and insert "**(E)**" in lieu thereof; in line 137 of the Committee Amendments (line 133, mimeograph copy) strike "(6)" and insert "**(F)**" in lieu thereof; in line 144 of the Committee Amendments (line 140, mimeograph copy) strike "(7)" and insert "**(G)**" in lieu thereof; in line 147, of the Committee Amendments (line 143, mimeograph copy) strike "(8)" and insert "**(H)**" in lieu thereof; and Standing Committee Amendments, page 6, line 152 (mimeograph copy, page 4, line 149) strike "(9)" and insert "**(I)**" in lieu thereof.

V. Amend the Standing Committee Amendments, page 6, Section 1, line 160; page 8, Section 2, line 16; page 16, Section 4, line 96; page 26, Section 11, line 5; page 26, Section 11, lines 21, 26, 31, 32, 34, and page 27, line 36; (mimeograph copy, page 4, Section 1, line 157; page 5, Section 2, line 16; page 9, Section 4, line 102; page 15, Section 11, line 5; page 16, Section 11, lines 21, 26, 31, 32, 34 and 37; and page 17, Section 12, lines 29, 30 and 35) by striking the word "Commissioner" wherever same appears in said lines, and inserting the word "**commissioner**" in lieu thereof, in each of said lines respectively.

VI. Amend the Standing Committee Amendments, page 6, Section 1, line 172 (mimeograph copy, page 4, Section 1, line 169) by striking the word "state-controlled" and inserting the words "**state controlled**" in lieu thereof; and in the Standing Committee Amendments, page 6, Section 1, line 173 (mimeograph copy, page 4, Section 1, line 170) strike the word "unemployment-compensation" and insert the words "**unemployment compensation**" in lieu thereof.

VII. Amend the Standing Committee Amendments, page 7, Section 1, line 207 (mimeograph copy, page 5, Section 1, line 205) by striking therefrom the following: " "in", "within", or "during" " and inserting in lieu thereof the following: "**in, within or during**".

VIII. Amend the Standing Committee Amendments, page 8, Section 2, lines 7 and 9 (mimeograph copy, page 5, Section 2, lines 7 and 9) by striking the word "**section**" after the word "**by**" and inserting the word "**Section**", in lieu thereof, in each of said lines respectively.

IX. Amend the Standing Committee Amendments, page 8, Section 2, line 21 (mimeograph copy, page 5, Section 2, lines 21 and 22) by striking the words and quotation marks, " **"Weekly Benefit Amount"** " and inserting in lieu thereof the following: **"WEEKLY BENEFIT AMOUNT".**

X. Amend the Standing Committee Amendments, page 8, Section 2, lines 24 and 25 (mimeograph copy, page 5, Section 2, lines 24 and 25) by striking the symbol and figures **"$15.00"** and inserting in lieu thereof the words **"fifteen dollars"** in each of said lines respectively; and Standing Committee Amendments, page 8, Section 2, line 25 (mimeograph copy, page 5, Section 2, lines 25 and 26) strike the symbol and figures **"$5.00"** wherever same appears in said lines, and insert in lieu thereof the words **"five dollars"** in each of said lines respectively; and Standing Committee Amendments, page 8, Section 2, lines 26, 27 and 31; page 9, line 32; and page 31, Section 13, lines 32 and 33; and page 10, Section 2, line 85 (mimeograph copy, Section 2, page 5, lines 26, 27, 32 and 33; page 6, lines 87 and 88; and page 18, Section 13, lines 33 and 34) by striking the symbol and figures **"$1.00"** and inserting in lieu thereof the words **"one dollar"**, in each of said lines respectively; amend Standing committee Amendments, page 8, Section 2, line 31 (mimeograph copy, page 5, Section 2, line 31) by striking the symbol and figures **"$3.00"**, and inserting in lieu thereof the words **"three dollars"**; amend the Standing Committee Amendments, page 15, Section 4, line 86 (mimeograph copy, page 9, Section 4, line 92) by striking the symbol and figures **"$200.00"** and inserting in lieu thereof the words **"two hundred dollars"**; amend the Standing Committee Amendments, page 15, Section 4, line 92 (mimeograph copy, page 9, Section 4, line 98) by striking the symbol and figures **"$50.00"** and inserting in lieu thereof the words **"fifty dollars"**.

XI. Amend the Standing Committee Amendments, page 9, Section 2, line 54 (mimeograph copy, page 6, Section 2, lines 55 and 56) by striking the following: " **"Determination of Full-time Weekly Wage."** " and inserting in lieu thereof, the following:

"DETERMINATION OF FULL TIME WEEKLY WAGE."

XII. Amend the Standing Committee Amendments, page 10, Section 2, line 80 (mimeograph copy, page 6, Section 2, line 82) by striking the following: " **"Duration of Benefits."** " and inserting in lieu thereof the following: **"DURATION OF BENEFITS."**

XIII. Amend the Standing Committee Amendments, page 10, Section 2, line 82 (mimeograph copy, page 6, Section 2, line 84) by striking therefrom the figures **"16"** and inserting in lieu thereof the word **"sixteen"**.

XIV. Amend the Standing Committee Amendments, page 10, Section 2, lines 86 and 87 (mimeograph copy, page 6, Section 2, line 89) by striking the quotation marks before the word **"wages"** and after the word **"work"**.

XV. Amend the Standing Committee Amendments, page 11, Section 2, line 90 (mimeograph copy, pages 6 and 7, Section 2, lines 92 and 93) by striking the following: **"section 2 (g) or section 8 (c)"** and inserting in lieu thereof the following:

"Sec. 48-702 (g) or Sec. 48-708 (c), Comp.
St. Supp., 1937, as amended,"

XVI. Amend the Standing Committee Amendments, page 11, Section 3, line 5 (mimeograph copy, page 7, Section 3, line 5) by inserting after the word "that" the following: **": (a)"**.

XVII. Amend the Standing Committee Amendments, page 11, Section 3, line 15 (mimeograph copy, page 7, Section 3, line 16) by striking therefrom the following: **"Section 3 (a) of this Act."** and inserting in lieu thereof the following:

"Sec. 48-703 (a), Comp. St. Supp., 1937, as amended;"

XVIII. Amend the Standing Committee Amendments, page 11, Section 3, line 17 (mimeograph copy, page 7, Section 3, lines 17 and 18) by striking the following: "Section 6 (a) of this Act." and inserting in lieu thereof, the following: **"Sec. 48-706 (a), Comp. St. Supp., 1937, as amended;"**.

XIX. Amend the Standing Committee Amendments, page 12, Section 3, line 44 (mimeograph copy, page 7, Section 3, line 45) by striking therefrom the following: **"sections 4 and 5 of this Act"** and inserting in lieu thereof the following: **"Secs. 48-704 and 48-705, Comp. St. Supp., 1937, as amended"**.

XX. Amend the Standing Committee Amendments, page 12, Section 3, line 45 (mimeograph copy, page 7, Section 3, line 47) by striking the following: **"section 5;** (4) unless" and inserting in lieu thereof the following:

"Section 4 of this Act (subsection (f) of Sec. 48-705,
Comp. St. Supp., 1937, as amended); (4) Unless"

XXI. Amend the Standing Committee Amendments, page 13, Section 4, line 22 (mimeograph copy, page 8, Section 4, line 25) by striking the parenthesis and words "(if any)" and inserting in lieu thereof the following: **", if any,"**.

XXII. Amend the Standing Committee Amendments, page 14, Section 4, line 37 (mimeograph copy, page 8, Section 4, line 41) by striking the parenthesis and letter "(a)" therein and inserting **"(i)"** in lieu thereof; amend the Standing Committee Amendments, same page, line 39 (mimeograph copy, line 42) by striking the following: "(b) if" and inserting in lieu thereof the following: "(ii) If"; and in line 41 of the Committee Amendments (line 45, mimeograph copy) strike "(c) if" and insert in lieu thereof the following: "(iii) If".

XXIII. Amend the Standing Committee Amendments page 15, Section 4, line 66 (mimeograph copy, page 9, Section 4, line 71) by striking the word "retirement" and inserting in lieu thereof the word "Retirement".

XXIV. Amend the Standing Committee Amendments, page 15, Section 4, line 72 (mimeograph copy, page 9, Section 4, line 78) by striking the punctuation ";" after the word "remuneration" and inserting in lieu thereof the punctuation ":".

XXV. Amend the Standing Committee Amendments page 16, Section 4, line 100 (mimeograph copy, page 10, Section 4, line 105) by inserting quotation marks before and after the word "student".

XXVI. Amend the Standing Committee Amendments, page 19, Section 7, line 7 (mimeograph copy, page 11, Section 7, line 7) by inserting the punctuation ":" after the word "of" and before the parenthesis and figure "(1)"; and in line 12 of the Standing Committee Amendments (line 13 of the mimeograph copy) strike the word "State" before the word "Treasurer" and insert in lieu thereof the word "state".

XXVII. Amend the Standing Committee Amendments, page 19, Section 7, lines 9 and 23 (mimeograph copy, page 11, Section 7, line 9, and page 12, line 23) by striking therefrom the following: "Section 14 of this Act" and inserting in lieu thereof, the following:

"Sec. 48-713, Comp. St. Supp., 1937, as amended"

in each of said lines respectively.

XXVIII. Amend the Standing Committee Amendments, page 20, Section 7, line 42 (mimeograph copy, page 12, Section 7, line 42) by striking the punctuation and hyphen ": -" after the word "WITHDRAWALS" and inserting in lieu thereof the punctuation ".".

XXIX. Amend the Standing Committee Amendments, page 21, Section 7, line 66 (mimeograph copy, page 12, Section 7, line 66) by striking the word "employment" and inserting in lieu thereof the word "unemployment".

XXX. Amend the Standing Committee Amendments, page 22, Section 7, lines 93 and 102 (mimeograph copy, page 13, Section 7, lines 95 and 103) by striking therefrom the figures "30" preceding the word "days" and inserting in lieu thereof the word "thirty" in each of said lines respectively.

XXXI. Amend the Standing Committee Amendments, page 22, Section 7, line 109 (mimeograph copy, page 13, Section 7, line 110) by striking the quotation marks before and following the word "**employer**"; following the word "**each**" and preceding "**(as**"; and in line 112 of the Committee Amendments (line 114, mimeograph copy) strike the single quotation marks before and after the word "**employers**" following the word "**from**" and before the parenthesis and word "**(as**"; and in line 113 of the Committee Amendments (line 114, mimeograph copy) strike the word and punctuation " '**employer**' ", after the word "**term**" and before the word "**is**" and insert in lieu thereof the word and punctuation " "**employer**" "; and in line 117 of the Committee Amendments (line 119, mimeograph copy) strike the quotation marks before and after the word "**employers**" following the word "**such**" and preceding the parenthesis and word "**(as**".

XXXII. Amend the Standing Committee Amendments, page 22, Section 7, line 116 (mimeograph copy, page 13, Section 7, line 118) by striking the words "**Pooled Account**" and inserting in lieu thereof the words "**pooled account**".

XXXIII. Amend the Standing Committee Amendments, page 23, Section 8, line 11 (mimeograph copy, page 14, Section 8, line 11) by striking the words "**Administration Fund**", and in General File Amendment, Section 15, line 19, by striking the words "**Unemployment Compensation Administration Fund**", and insert in lieu thereof, in each of said lines respectively, the following:

"**unemployment compensation administration fund**".

XXXIV. Amend the Standing Committee Amendments, page 24, Section 8, line 30; and page 25, Section 10, line 15; (mimeograph copy, page 14, Section 8, line 31; and page 15, Section 10, line 16) by striking the word "Board" after the word "said"; and on page 24, line 38 of the Committee Amendments (page 14, line 39, mimeograph copy) by striking the word "**Board**" after the word "**such**", and insert in lieu thereof, in each of said lines respectively, the word "**board**".

XXXV. Amend the Standing Committee Amendments, page 26, Section 11, line 6 (mimeograph copy, page 15, Section 11, line 6) by striking the figure "1" and inserting in lieu thereof the word "**one**".

XXXVI. Amend the Standing Committee Amendments, page 27, Section 11, line 47 (mimeograph copy, page 16, Section 11, line 48) by striking the following: "**1929 Compiled Statutes**"; and the Standing Committee Amendments, page 27, Section 11, line 49 (mimeograph copy, page 16, Section 11, line 50) by inserting after the word and figures "**Article 21,**", and inserting in said line 47 of the Committee Amendments (line 48, mimeograph copy) the following:

"Compiled Statutes of Nebraska, 1929,".

XXXVII. Amend the Standing Committee Amendments, page 28, Section 11, line 68 (mimeograph copy, page 17, Section 11, line 69) by striking the words and figures, **"Two Hundred Fifty Dollars ($250.00)"** and inserting in lieu thereof the words **"two hundred fifty dollars".**

XXXVIII. Amend the Standing Committee Amendments, page 28, Section 12, line 8 (mimeograph copy, page 17, Section 12, line 8) by striking the following: **"Section** 2 (h) of this Act", and inserting in lieu thereof the following:

"Sec. 48-702 (h), Comp. St. Supp., 1937, as amended,".

XXXIX. Amend the Standing Committee Amendments, page 29, Section 12, line 39 (mimeograph copy, page 18, Section 12, line 39) by striking therefrom the figure "6" after the word "Section" and inserting the figure "7" in lieu thereof.

XL. Amend the Standing Committee Amendments, page 30, Section 13, line 1 (mimeograph copy, page 18, Section 13, line 1) by striking the words **"Transition Provisions"** and inserting in lieu thereof the words, **"TRANSITION PROVISIONS".**

XLI. Amend the Standing Committee Amendments, page 31, Section 13, line 26 (mimeograph copy, page 18, Section 13, line 27) by striking the following: **"of section 48-704 (d) of the old or new law to the contrary"** and inserting in lieu thereof, the following:

"to the contrary, of Sec. 48-704 (d), Comp. St. Supp., 1937., as now existing or hereafter amended"

XLII. Amend the Standing Committee Amendments, page 31, Section 13, line 30 (mimeograph copy, page 18, Section 13, line 31) by striking the words **"the old law"** and inserting in lieu thereof, the following:

"L. B. No. 189, Fifty-second Session, Nebraska State Legislature, 1937,"

and in line 35, Committee Amendments (line 36, mimeograph copy) by striking the words **"of the new law"** and inserting in lieu thereof, the following:

", Comp. St. Supp., 1937, as amended by this Act,"

XLIII. Amend the General File Amendment, Sec. 15, line 4, by striking the words "department of labor" and inserting in lieu thereof the words, **"Department of Labor".**

XLIV. Amend the Standing Committee Amendments, page 17, Section 5, line 28 (mimeograph copy, page 10, Section 5, line 28) by striking the punctuation ":" after the word "account" and inserting the punctuation "." in lieu thereof.

XLV. Amend the Standing Committee Amendments, page 1, Section 1, line 4; page 4, lines 93, 111 and 118; page 5, line 127; page 14, Section 4, lines 49 and 61 (mimeograph copy, page 1, Section 1, line 4; page 2, line 91; page 3, lines 107, 114 and 123; page 9, Section 4, lines 53 and 66) by striking the hyphen or double hyphen wherever the same may appear, and inserting in lieu thereof the punctuation ":" in each of said lines respectively; and in the Standing Committee Amendments, page 8, Section 2, line 3; page 16, Section 5, line 3; page 19, Section 7, line 3; page 21, Section 7, lines 64 and 90; page 23, Section 8, lines 3 and 25; page 25, Section 10, line 3; page 26, Section 11, lines 3, 9 and 37; page 27, Section 11, line 62; page 28, Section 11, line 74; and General File Amendment, Section 15, line 3 (mimeograph copy, page 5, Section 2, line 3; page 10, Section 5, line 3; pages 11, 12 and 13, Section 7, lines 3, 64 and 91; page 14, Section 8, lines 3 and 25; page 15, Section 10, line 3; pages 15, 16 and 17, Section 11, lines 3, 9, 35, 63 and 76) strike the hyphen or double hyphen following the catch words or catch heads appearing in each of said lines respectively.

XLVI. Amend the Standing Committee Amendments, page 4, Section 1, line 91, after the word "implied"; line 101, after the word "state"; line 110, after the word "Act"; line 116, after the word "transactions"; page 5, line 126, after the word "business"; line 144, after the word "States"; page 11, Section 3, line 18, after the word "work"; page 12, line 31, after the word "weeks"; line 32, after the word "consecutive"; line 42, after the word "year" and after the word "thereto"; line 47, after the word "Act"; page 13, Section 4, line 10, after the word "Office"; line 18, after word "misconduct"; page 14, line 44, after the word "organization"; page 15, line 87, after the word "question"; page 24, Section 8, line 35, after the word "Act"; and line 40, after the word "purposes"; (mimeograph copy, pages 2 and 3, Section 1, lines 89, 99, 106, 112, 122, 140; page 7, Section 3, lines 32, 33, 43, 44, and 48; pages 8 and 9, Section 4, lines 10, 20, 47 and 94; page 14, Section 8, lines 36 and 40) by striking the punctuation "." and inserting the punctuation ";" in lieu thereof, in each of said lines respectively.

(Signed) Craven, Chairman.

Approved by Governor

April 28th, 1939.

To the Members of the Legislature:

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bill:

L. B. No. 494

Respectfully submitted,

(Signed) Otho K. DeVilbiss,
Secretary to the Governor.

April 29th, 1939.

To the Members of the Legislature:

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bills:

L. B. No. 270 L. B. No. 41

Respectfully submitted,

(Signed) Otho K. DeVilbiss,
Secretary to the Governor.

May 1st, 1939.

To the Members of the Legislature:

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bill:

L. B. No. 175

Respectfully submitted,

(Signed) Otho K. DeVilbiss,
Secretary to the Governor.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 362.

A bill for an Act relating to contracts or agreements for the sale, assignment or transfer of wages, earnings or salaries of heads of families; to provide that said contracts or agreements shall be void unless executed by both the husband and wife; to provide that no person, firm, corporation, company, partnership or business institution shall cause any employer, by any such void assignment, to withhold the payment of any wages due the head of a family; to provide penalties for the violation thereof; and to repeal Section 36-203, Compiled Statutes of Nebraska, 1929.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 37:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brodecky
Callan
Carlson
Carsten
Craven
Doyle
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Mischke
Murphy
Neubauer
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 6:

Brady
Diers
Garber
Miller
Mueller
Norman

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 417. (With emergency clause)

A bill for an Act to amend Sec. 53-353, Comp. St. Supp., 1937, relating to liquors; to provide that the Nebraska Liquor Control Commission may, in its discretion, eliminate the cancellation of alcoholic liquor revenue stamps by manufacturers or distributors of liquors; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?"

Voting in the affairmative, 40:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Doyle
Dunn
Gantz
Gross
Gutoski
Hall
Johnston
Klaver
Lambert
Mekota
Mischke
Murphy
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton

Carlson
Carsten
Craven
Diers
Hastings
Herrick
Howard
Johnson
Neubauer
Norman
Peterson
Reavis
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 3: Garber Miller Mueller

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 461. (With emergency clause)

A bill for an Act to amend Section 80-306, Compiled Statutes of Nebraska, 1929, relating to soldiers and sailors; to discontinue the branch institution of the Soldiers' and Sailors' Home at Milford on and after July 1, 1939; to provide the method and manner of transferring all members of said branch institution to the Soldiers' and Sailors' Home at Grand Island; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 32:

Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carsten
Craven
Doyle
Gantz
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mischke
Murphy
Neubauer
Norman
Peterson
Reed
Rossiter
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 4:

Diers
Dunn
Gross
Schultz

Not voting, 7:

Adams, E. A.
Carlson
Garber
Mekota
Miller
Mueller
Reavis

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 130. Laid Over.

LEGISLATIVE BILL NO. 131. Laid Over.

MOTION—To Change Position on General File

Mr. President: I move that L. B. No. 299, L. B. No. 300 and L. B. No. 301 be placed on General File immediately following the 43 selected bills. (Signed) Diers.

Substitute Motion

Mr. President: I move, as a substitute, that L. B. No. 299, L. B. No. 300 and L. B. No. 301 be placed above the 43 bills selected by the members. (Signed) Dunn.

The substitute motion prevailed with 26 ayes, 7 nays, 10 not voting.

GENERAL FILE

Unfinished Business

LEGISLATIVE BILL NO. 168. The Dunn amendment found in the Legislative Journal for the Eighty-third Day was considered.

Mr. Gross moved the previous question.

A call of the House was ordered.

The call was raised.

Mr. Gross' motion for the previous question prevailed with 23 ayes, 2 nays, 18 not voting.

A record vote on the Dunn amendment was requested.

Voting in the affirmative, 14:

Ashmore
Brady
Carsten
Craven
Dunn
Gutoski
Johnston
Klaver
Murphy
Norman
Reavis
Reed
Thomas
Tvrdik

Voting in the negative, 18:

Callan
Carlson
Gross
Hall
Lambert
Mischke
Thornton
Van Diest

Diers
Doyle
Gantz
Hastings
Herrick
Howard
Neubauer
Sorrell
Von Seggern
Westley

Not voting, 11:

Adams, E. A.
Adams, J. Jr.
Brodecky
Garber
Johnson
Mekota
Miller
Mueller
Peterson
Rossiter
Schultz

The amendment was lost.

Vote was taken on the Brady amendment found in the Legislative Journal for the Eighty-third Day.

Record vote was requested.

Voting in the affirmative, 13:

Adams, J. Jr.
Ashmore
Brady
Carsten
Dunn
Gutoski
Johnston
Klaver
Murphy
Norman
Reavis
Reed
Thomas

Voting in the negative, 18:

Adams, E. A.
Brodecky
Callan
Carlson
Diers
Doyle
Gantz
Gross
Hall
Hastings
Herrick
Lambert
Neubauer
Sorrell
Thornton
Van Diest
Von Seggern
Westley

Not voting, 12:

Craven
Garber
Howard
Johnson
Mekota
Miller
Mischke
Mueller
Peterson
Rossiter
Schultz
Tvrdik

The amendment was lost.

Mr. Callan offered the following amendment:

1. Amend the Standing Committee amendments, mimeographed, April 3, 1939, page 3, Amendment 1, by inserting immediately after Section 1 thereon a new section to be known and numbered as follows:

"Sec. 2. That Subsection 2, Sec. 70-701, Comp. St. Supp., 1937, be amended to read as follows:

70-701. 2. "Municipality", when used in relation to the organization of a district, means any county, city, incorporated village or voting precinct in this state; **but when used in relation to the election of successors to the original board of directors of a district, as provided in Sec. 70-704, Comp. St. Supp., 1937, as now existing or as hereafter amended, "Municipality" or "Municipalities" comprising said district shall be deemed automatically to be extended so as to include each incorporated city or village which shall have granted a franchise to said district to furnish or sell electrical energy at retail to the inhabitants of said city or village. When said district ceases to sell electrical energy at retail to the inhabitants of said city or village, said city or village shall cease to be a part of said district."**

2. Amend the Standing Committee amendments, mimeographed, April 3, 1939, Amendment 1, page 3, by renumbering Sections 2 and 3 thereon to correspond with the foregoing amendment.

3. Amend the Standing Committee amendments, mimeographed, April 3, 1939, Amendment 1, by striking all of Section 3 thereon and by inserting in lieu thereof the following:

"Sec. 3. That said original Sec. 70-712 and said original Subsection 2, Sec. 70-701, Comp. St. Supp., 1937, are hereby repealed."

4. Amend the Standing Committee amendments, mimeographed, April 3, 1939, Amendment 2, pages 3 and 4, by broadening said title to cover the subjects included in the foregoing amendments.

Record vote was requested.

Voting in the affirmative, 38:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnston
Klaver
Lambert
Mekota
Mischke
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 1: Doyle

Not voting, 4:

Garber
Johnson
Miller
Mueller

The amendment was adopted:

Mr. Howard offered the following amendments:

1. Amend the General File Amendments, mimeographed, page 1, Amendment 1, line 5 by inserting after the word "**acquire**" and before the word "**any**" therein the following: "**from a person, firm or corporation other than a privately owned utility,**".

2. Amend the General File Amendments, mimeographed, page 1, Amendment 1, lines 13 and 24 by inserting the word "**real**" after the word "**such**" and before the word "**property**" wherever the same appear in each of said lines respectively.

3. Amend the General File Amendments, mimeographed, Amendment 1, line 26 by inserting after the last word "**payments**" therein the following: "**. The provisions of this section with respect to payments by public power districts and by public power and irrigation districts in lieu of taxes on said real property of such districts, shall not be applicable to rural electric transmission, distribution and service lines, substations, and easements therefor**".

Record vote was requested.

Voting in the affirmative, 34:

Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnston
Lambert
Mekota
Mischke
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 9:

Adams, E. A.
Adams, J. Jr.
Craven
Garber
Johnson
Klaver
Miller
Mueller
Thomas

The amendment was adopted.

Mr. Mekota offered the following amendment:

That the Standing Committee amendments, mimeographed, Section 1, Page 3, line 17, be amended by adding after the word "condition" and before the word "that", the following: "expressed in the contract of purchase and instrument of conveyance".

The amendment was adopted with 29 ayes, 2 nays, 12 not voting.

Mr. Gross moved to refer to E and R for review.

As a substitute, Mr. Diers moved that L. B. No. 168, as amended, be mimeographed and placed in the books and that L. B. No. 170 be considered next.

The substitute motion prevailed.

Speaker Diers presiding.

LEGISLATIVE BILL NO. 170. Mr. Gantz and Mr. Reavis offered the following amendments:

1. Amend the printed bill, page 1, Section 1, line 3 by inserting immediately after the section symbol and punctuation "70-713." therein the following:

"a.".

2. Amend the printed bill, pages 1 and 2, Section 1, by striking all new matter in said section contained in lines 18 to 29 inclusive therein and by inserting in lieu thereof the following:

"b. In the event that any such district shall lease, purchase or acquire in any manner the generating plant, distribution system or other property of an existing utility then or theretofore furnishing electrical energy for heating, lighting, power or other purposes for the use or benefit of any city of whatever class or village in the state of Nebraska, or its inhabitants, and for use within the corporate limits of said city or village, such district shall be bound by, shall carry out and shall perform the terms and conditions of any franchise or contract, assigned to such district and/or under which said existing utility, such district's predecessor or assignor, operated at the time such lease, purchase or acquisition of the generating plant, distribution system or other property of said existing utility shall have been made: Provided, that no such district shall have the power to construct, lease, purchase or otherwise acquire any electric light or power plant or system or any part thereof, within the boundaries of any city or village in said state, for the purpose of supplying said city or village, or the inhabitants thereof, with electrical energy, if said city or village has been supplied for one year immediately prior to the passage and approval of this Act, with electrical energy which was produced in a plant or plants owned by the United States of America, except that this provision shall not apply to any city or village supplied with fifteen per cent or less of said electrical energy produced in said plant or plants and used by said city or village during said year. Any such district shall be required at

all times to have a valid and subsisting franchise, either running to it as original grantee from said city or village or assigned to it by or through an original grantee of said city or village, if such district proposes to generate, distribute and sell or to distribute and sell electrical energy to said city or village or to its inhabitants as a condition precedent to the operation of said district's electric utility or utilities within said city or village in every case and to the same extent as where a private corporation is required to have such valid and subsisting franchise to operate its electric utility or utilities within said city or village. All franchises granted by said city or village to any such district to operate said district's electric utility or utilities within the corporate limits of said city or village, may provide the maximum rates that may be charged by such district for furnishing said electrical energy to said city or village or to its inhabitants during the franchise period; and said franchises shall be granted in the same manner and upon the same terms and conditions as may now, or hereafter be provided by law for granting franchises to private corporations by said cities or villages. Contracts, other than franchises, which said city or village is empowered to make with any such district to furnish said city or village, or its inhabitants, with electrical energy, shall be made in the same manner and upon the same terms and conditions as said city or village is now or hereafter empowered to make with any private corporation to furnish said city or village or its inhabitants with electrical energy.".

3. Amend the printed bill, page 2, by striking all of Section 2 thereon and by inserting in lieu thereof the following:

"Sec. 2. That Sec. 70-714, Comp. St. Supp., 1937, be amended to read as follows:

70-714. The provisions of ~~this act~~ **Article 7, Chapter 70, Comp. St. Supp., 1937, as now existing or as hereafter amended,** shall be deemed cumulative and shall not limit, or affect, or be limited, or affected by any other provisions of law pertaining to counties, cities, villages, irrigation districts, public electric light districts, public power districts, public corporations, or other municipalities or political subdivisions of this state **except as is otherwise provided in Sec. 70-713, Comp. St. Supp., 1937, as amended by Section 1, Legislative Bill No. 170, Fifty-third Session, Nebraska State Legislature, 1939.**

Sec. 3. If any provision of this Act is declared unconstitutional, the validity of the remainder of said Act shall not be affected thereby.

Sec. 4. That said original Secs. 70-713 and 70-714, Comp. St. Supp., 1937, are hereby repealed.".

4. Amend the printed bill, page 1, title, line 2 by striking all of said title after the word "ACT" therein and by inserting in lieu thereof the following:

"to amend Secs. 70-713 and 70-714, Comp. St. Supp., 1937, relating to public power districts and public power and irrigation districts; to prescribe the terms and conditions under which such districts may be permitted or allowed to operate generating plants, distribution systems or other property of existing utilities furnishing electrical energy for the use of Nebraska cities or villages or their inhabitants, if and when such districts shall have leased, purchased or acquired said plants, systems or property; to prescribe the manner of making and the terms and conditions of franchises and contracts, other than franchises, that such districts are empowered to make with said cities or villages; to provide a validity clause; and to repeal said original sections.".

Mr. Mekota offered the following amendment to the Gantz-Reavis amendment:

By striking all of said amendment beginning with the word "Provided" in the fourth line from the bottom of page one and ending with the word "year" in line 10 of page 2, and by reinserting said stricken matter at the end of Section 2 b.

The Mekota amendment was adopted.

Record vote was requested on the Gantz-Reavis amendment.

Voting in the affirmative 39:

Adams, E. A.
Adams. J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnston
Klaver
Lambert
Mekota
Mischke
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative,0.

Not voting, 4:

Johnson
Miller
Mueller
Sorrell

The Gantz-Reavis amendment as amended was adopted.

President Johnson presiding.

Mr. Diers moved that L. B. No. 170 as amended be mimeographed and placed on the desks of the members.

The motion prevailed.

Mr. Diers moved that L. B. No. 185 and L. B. No. 190 be passed over and that other bills on General File be considered.

As a substitute, Mr. Doyle moved that L. B. No. 185 retain its place on General File and that L. B. No. 190 be considered.

The substitute motion prevailed.

Speaker Diers presiding.

LEGISLATIVE BILL NO. 190. Read and considered.

Approved by Governor

May 2nd, 1939.

To the Members of the Legislature:

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bills:

L. B. No. 192 L. B. No. 516

Respectively submitted,
(Signed) Otho K. DeVilbiss,
Secretary to the Governor.

Adjournment

At 12:05 p. m. Mr. Brady moved that the rules be suspended and the Legislature adjourn until 8:00 a. m. Wednesday.

Substitute Motion

As a substitute, Mr. Norman moved that the Legislature adjourn until 8:30 a. m. Wednesday.

The substitute motion was lost with 11 ayes, 17 nays, 15 not voting.

The original motion prevailed with 30 ayes, 2 nays, 11 not voting.

Hugo F. Srb,
Clerk of the Legislature.

EIGHTY-FIFTH DAY

Legislative Chamber,
Lincoln, Nebraska, May 3, 1939.

The Legislature met at 8:02 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Messrs. John Adams, Jr., Miller and Mueller who were excused.

The Journal for the Eighty-fourth Day was approved.

PETITIONS AND MEMORIALS

A request was received from Omaha regarding early consideration of assistance bills.

A petition was received from Nelson, Nebraska to keep America out of war.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 132. Placed on Select File with amendments.

E and R amendments to L. B. No. 132:

I. Amend the original bill, page 2, Section 1, line 1 (the printed bill, page 1, Section 1, line 1) by striking the words "Auditor of Public Accounts" therein and by inserting in lieu thereof the words "auditor of public accounts".

II. Amend the original bill, page 3, Section 2, line 25 (the printed bill, page 2, Section 2, line 19) by striking therefrom the word "sub-heads" therein and by inserting in lieu thereof the word "subheads".

III. Amend the original bill, page 4, Section 2, line 56 (the printed bill, page 3, Section 2, line 44) by striking therefrom the punctuation "," after "(b)" therein.

IV. Amend the original bill, page 5, Section 3, line 8 (the printed bill, page 3, Section 3, line 6) by striking therefrom the words "Twenty-five Dollars" therein and by inserting in lieu thereof the words "twenty-five dollars".

V. Amend the original bill, page 5, Section 3, line 9 (the printed bill, page 3, Section 3, line 7) by striking therefrom the words "Five Hundred Dollars" therein and by inserting in lieu thereof the words "five hundred dollars".

VI. Amend the original bill, page 5, Section 3, line 17 (the printed bill, page 3, Section 3, line 13) by inserting immediately after the figures "1929" therein the following:

", as now existing or as hereafter amended".

VII. Amend the original bill, page 5, Section 4, line 6 (the printed bill, page 3, Section 4, line 5) by striking therefrom the punctuation and word "; **provided**" therein and by inserting in lieu thereof the following:

": Provided".

VIII. Amend the original bill, page 6, Section 4, line 19 (the printed bill, page 4, Section 4, line 15) by striking therefrom the first punctuation "." and by inserting in lieu thereof the punctuation ";".

IX. Amend the original bill, page 7, Section 4, lines 51 and 52 (the printed bill, page 4, Section 4, line 41) by striking therefrom "either house of the legislative assembly" and by inserting in lieu thereof the following:

"the Legislature".

X. Amend the original bill, page 8, Section 4, line 69 (the printed bill, page 5, Section 4, line 55) by striking therefrom the word "the" therein and by inserting in lieu thereof the word **"The".**

XI. Amend the original bill, page 8, Section 4, lines 80 and 81 (the printed bill, page 5, Section 4, lines 63 and 64) by striking therefrom the words "meetings of the board of purchase and" therein and by inserting in lieu thereof the following:

"lettings for the purchase of".

XII. Amend the original bill, page 8, Section 4, line 82 (the printed bill, page 5, Section 4, line 65) by striking therefrom the words "such board" therein and by inserting in lieu thereof the following:

"tax commissioner or his purchasing agent".

XIII. Amend the original bill, page 10, Section 5, line 21 (the printed bill, page 6, Section 5, line 17) by striking therefrom the first punctuation "," therein and by inserting the conjunction **"and"** immediately preceding the word **"provided"** in said line.

XIV. Amend the original bill, page 10, Section 5, line 25 (the printed bill, page 6, Section 5, line 20) by striking therefrom "(6)".

XV. Amend the original bill, page 10, Section 5, line 31 (the printed bill, page 6, Section 5, line 25) by striking therefrom the punctuation and word ": Provided," therein and by inserting in lieu thereof the following:

"; and provided".

XVI. Amend the original bill, page 11, Section 5, lines 33 and 34 (the printed bill, page 6, Section 5, line 27) by striking therefrom the words, symbol and figures "Three Thousand Dollars ($3,000.00)" therein and by inserting in lieu thereof the following:

"three thousand dollars".

XVII. Amend the original bill, page 11, Section 5, line 61 (the printed bill, page 7, Section 5, line 49) by striking therefrom the word "enforcible" therein and by inserting in lieu thereof the word **"enforceable".**

XVIII. Amend the original bill, page 12, Section 5, line 75 (the printed bill, page 7, Section 5, line 61) by striking therefrom the words, symbol and figures "One Hundred Dollars ($100.00)" therein and by inserting in lieu thereof the words **"one hundred dollars".**

XIX. Amend the original bill, page 13, Section 6, line 34 (the printed bill, page 8, Section 6, line 27) by inserting the punctuation "," after the word **"Act"** therein.

XX. Amend the original bill, page 13, Section 7, line 12 (the printed bill, page 9, Section 7, line 10) by striking the punctuation "." therein and by inserting in lieu thereof the punctuation ":".

XXI. Amend the printed bill, page 9, Section 7, line 19, by striking all of said line 19 therein.

XXII. Amend the original bill, pages 14, 15, 16, 17 and 18 (the printed bill, pages 9, 10 and 11) by striking all of Section 8 thereon; for the purpose of correlating said bill with Section 1, Legislative Bill No. 23, Fifty-third Session, Nebraska State Legislature, 1939, as amended by Section 1, Legislative Bill No. 131, Fifty-third Session, Nebraska State Legislature, 1939, and by inserting in lieu thereof the following:

"Sec. 8. That Sec. 26-108, Comp. St. Supp., 1937, as amended by Section 1, Legislative Bill No. 23, Fifty-third Session, Nebraska State Legislature, 1939, as amended by Section 1, Legislative Bill No. 131, Fifty-third Session, Nebraska State Legislature, 1939, be amended to read as follows:

26-108. It shall be the duty of the county board of each county: First. To cause to be annually levied and collected taxes authorized by law for county purposes, not exceeding fifty cents on the one hundred dollars actual valuation, except in any county in which a health district has been duly constituted and has not been dissolved. In such last named counties the tax so levied shall not exceed forty cents on the one hundred dollars' actual valuation. An additional amount may be levied in any county if authorized by a vote of the people of the county. Second. To erect or otherwise provide a suitable court house, jail and other necessary county buildings, and for that purpose to borrow money and issue the bonds of the county to pay the same; to keep the said buildings in repair and to provide suitable rooms and offices for the accommodation of the several courts of record, compensation court or any member thereof, the Commissioner of Labor for the conduct and operation of the state free employment service, the county board, clerk, treasurer, sheriff, clerk of the district court, county superintendent, county surveyor, county agricultural agent and county attorney (provided the county attorney shall hold his office at the county seat), and suitable furniture therefor. But no appropriation exceeding fifteen hundred dollars shall be made for the erection of any county building except as hereinafter provided, without first submitting the proposition to a vote of the people of the county at a general election or a special election ordered by said board for that purpose, and the same is ordered by a majority of the legal voters thereon: **Provided,** that the county board of any county in this state is hereby authorized and empowered, when requested so to do by a petition signed by at least fifty-five per cent of the legal voters in said county, based on the average vote of the two preceding general elections, to make an annual levy not exceeding five mills upon the dollar on all taxable property in said county for the purpose of providing a fund for the erection of a court house or jail, said fund to be used only in the construction of a court house or jail or to pay the expenses of tearing down an existing court house or jail or making improvements thereon; **provided further,** the total estimated amount to be raised by such special levy shall not exceed the sum of one hundred thousand dollars and said levy may be spread over a term of years not exceeding five to produce such sum; **provided further,** that in counties having no bonded indebtedness, the county board, without the filing of such petition may levy a tax of not to exceed one and one-half mills per year for not exceeding two years for the purpose of providing a fund for the erection or repair of a jail or court house and procuring a site therefor, but in no case shall the levy of taxes made by the county board for all purposes, including the taxes levied herein provided for the erection or repair of a court house or jail, exceed in any one year the sum of fifty cents on one hundred dollars of the assessed valuation of said county. Third. To provide and keep in repair, when the finance of the county will permit, suitable fireproof safes for the county clerk and county treasurer. Fourth. To provide suitable books and stationery for the use of the county board, county clerk, county treasurer, county judge, sheriff, clerk of the district court, county superintendent, county surveyor and county attorney. Fifth. To cause to be published at the close of each annual regular or special meeting of the board, a brief statement of the proceedings thereof in one newspaper of general circulation published in the county, and also their proceedings upon the equalization of the assessment roll: **Provided,** no publication in a newspaper shall be required unless the same can be done at an expense not exceeding one-third of the legal rate for advertising notices. Sixth. At their regular meeting in January of each year to prepare an estimate of the necessary funds for the mothers' pension fund of the county for the ensuing year, the total of which shall not exceed the amount authorized by law to be levied during that year for the mothers' pension fund, and such estimate, shall be entered at large upon their records and published three successive weeks before the levy for that year in some newspaper published and of general circulation in the county, or if none is published, then in some newspaper of general circulation there, and no levy of taxes shall be made for said mothers' pension fund except as specified in such estimate as published, but the amount of such mothers' pension fund may be reduced at the time the levy is made. No levy of taxes for county purposes shall be made by the county board for any other purpose or amounts except as specified in the budget adopted by the county board prior to the making of such levy, except for the mothers' pension fund. If any levy shall be made in excess of the amounts provided in said budget, the tax shall not therefor be void, but the members of the county board and their sureties shall be jointly and severally liable upon their official bonds for the full amount of such excesses, which shall be collected by civil action, as in other cases for the use of the school fund of the county. If the members of said board neglect to comply with any other provisions of this section, the tax shall not therefor be void, but they shall each be liable to a penalty of five hundred dollars, to be recovered by civil action as in other cases, for the use and support of the common schools in the county. Seventh. In all cases where any bridge or any public building, the property of any county within this state, shall be injured or destroyed by any person or persons, either negligently, carelessly or wilfully, and maliciously, it shall be the duty of the county board of the proper county, for and in the name of the county to sue for and recover such damages as shall have occurred by reason thereof, and the money so recovered shall be paid into the treasury of the proper county, and by the treasurer be credited to the fund out of which such bridge or building was constructed or repaired. **Eighth. To prepare the annual inventory statements required to be prepared by county boards of county personal property in their custody and control, to examine and approve and to perform all duties required to be performed with respect to annual inventory statements prepared by other county officers and filed with said boards, with respect to county personal property as provided in Sections 1, 2 and 3, Legislative Bill No. 132, Fifty-third Session, Nebraska State Legislature, 1939."**

XXIII. Amend the original bill, page 20, Section 12, line 6 (the printed bill, page 13, Section 12, line 4) by striking "(150,000)" and inserting in lieu thereof:

"inhabitants".

XXIV. Amend the original bill, page 20, Section 12, line 8 (the printed bill, page 13, Section 12, line 6); the original bill, page 23, Section 16, line 11 (the printed bill, page 15, Section 16, line 10); by striking therefrom the word **"ex-officio"** and by inserting in lieu thereof the words **"ex officio"** in each of said lines respectively.

XXV. Amend the original bill, page 20, Section 12, line 13 (the printed bill, page 13, Section 12, line 9) by striking therefrom the word "receipts" and by inserting in lieu thereof the word "receipt".

XXVI. Amend the printed bill, page 14, Section 13, line 2 by striking therefrom the figures "1939" and by inserting in lieu thereof the figures "1929".

XXVII. Amend the original bill, page 21, Section 13, lines 12 and 13 (the printed bill, page 14, Section 13, line 9) by striking the words "proof read" wherever the same appear in each of said lines respectively and by inserting in lieu thereof the word **"proofread".**

XXVIII. Amend the original bill, page 21, Section 13, line 15 (the printed bill, page 14, Section 13, lines 11 and 12) by striking therefrom the word "re-recording" and by inserting in lieu thereof the word **"rerecording".**

XXIX. Amend the original bill, page 23, Section 16, line 8 (the printed bill, page 15, Section 16, line 7) by striking therefrom the word "sub-division" and by inserting in lieu thereof the word **"subdivision".**

XXX. Amend the original bill, page 23, Section 16, line 11 (the printed bill, page 15, Section 16, line 9) by inserting after the word "thousand" therein the following:

"inhabitants or more".

XXXI. Amend the original bill, page 26, Section 17, line 64 (the printed bill, page 17, Section 17, line 48, by striking therefrom the word "act" and by inserting in lieu thereof the following:

"Act,".

XXXII. Amend the original bill, page 27, Section 18, line 6 (the printed bill, page 18, Section 18, line 4) by inserting after the word "thousand" the word **"inhabitants".**

XXXIII. Amend the original bill, page 29, Section 19, line 6 (the printed bill, page 19, Section 19, line 4) by striking therefrom the words "safe keeping" and by inserting in lieu thereof the word **"safekeeping".**

XXXIV. Amend the original bill, pages 29 and 30 (the printed bill, pages 19 and 20) by striking all of Section 20 thereon and by inserting in lieu thereof the following:

"Sec. 20. That Sec. 20-1625, Comp. St. Supp., 1937, as amended by Section 1, Legislative Bill No. 9, Fifty-third Session, Nebraska State Legislature, 1939, be amended to read as follows:

20-1625. In each county of the state of Nebraska having a population of one hundred fifty thousand or more, there shall be a jury commissioner who shall be chosen by a majority vote of the district judges of the judicial district including said county: **Provided,** in counties having a population of more than one hundred thousand and less than one hundred fifty thousand inhabitants, the "Chief Adult Probation Officer" **chief adult probation officer** therein shall be Jury Commissioner **jury commissioner,** ex officio, without additional compensation therefor; **and provided further,** the necessary expenses incurred in the performance of the ex officio duties of said Jury Commissioner **jury commissioner** shall be paid by the board of county commissioners of said county out of the general fund, upon proper claims approved by a majority of the district judges in said judicial district and duly filed with said board. The election commissioner, his deputy, or any voter, in any county having a population of one hundred fifty thousand inhabitants or more, shall be eligible to said office of jury commissioner. **The chief adult probation officer and the jury commissioner, whether he shall serve in an ex officio capacity or not, shall prepare and file the annual inventory statement with the county board of their county of all county personal property in their custody or possession, as provided in Sections 1, 2 and 3, Legislative Bill No. 132, Fifty-third Session, Nebraska State Legislature, 1939."**

XXXV. Amend the original bill, page 31, Section 22, lines 6, 7 and 8 (the printed bill, page 20, Section 22, lines 4, 5 and 6) by striking that part of said section commencing with the word "that" in line 6 of the original bill (line 4 of the printed bill) down to and including the word and punctuation "repealed;" in line 8 of the original bill (line 6 of the printed bill) and by inserting in lieu thereof the following:

"that said original Sec. 26-1002, Comp. St. Supp., 1937, is hereby repealed; that said original Sec. 26-108, Comp. St. Supp., 1937, as amended by Section 1, Legislative Bill No. 23, Fifty-third Session, Nebraska State Legislature, 1939, as amended by Section 1, Legislative Bill No. 131, Fifty-third Session, Nebraska State Legislature, 1939, is hereby repealed;".

XXXVI. Amend the original bill, page 31, Section 22, line 16 (the printed bill, page 20, Section 22, line 12) by inserting after the figures and punctuation "1937," therein the following:

"as amended by Section 1, Legislative Bill No. 9, Fifty-third Session, Nebraska State Legislature, 1939,".

XXXVII. Amend the original bill, page 1, title, lines 7 and 8 (the printed bill, page 1, title, line 5) by striking therefrom the words "Auditor of Public Accounts" and by inserting in lieu thereof the words "auditor of public accounts".

XXXVIII. Amend the original bill, page 1, title, lines 17 and 18 the printed bill, page 1, title, lines 10 and 11) by striking that part of said title commencing with the preposition "to" in line 17 of the original bill (line 10 of the printed bill) down to and including the figures and punctuation "1937;" in line 18 of the original bill (line 11 of the printed bill) and by inserting in lieu thereof the following:

"to amend Sec. 26-1002, Comp. St. Supp., 1937; to amend Sec. 26-108, Comp. St. Supp., 1937, as amended by Section 1, Legislative Bill No. 23, Fifty-third Session, Nebraska State Legislature, 1939, as amended by Section 1, Legislative Bill No. 131, Fifty-third Session, Nebraska State Legislature, 1939;".

XXXIX. Amend the original bill, page 1, title, line 26 (the printed bill, page 1, title, line 15) by inserting after the figures "1937" therein the following:

"as amended by Section 1, Legislative Bill No. 9, Fifty-third Session, Nebraska State Legislature, 1939".

XL. Amend the original bill, page 1, title, line 28 (the printed bill, page 1, title, line 17) by inserting after the word and punctuation "sections;" therein the following:

"to repeal said original sections, as amended;".

LEGISLATIVE BILL NO. 2. Replaced on Select File with specific amendments.

Specific amendments to L. B. No. 2:

XIV. Amend the unanimous consent amendment (Tvrdik), May 1, 1939, original, line 3, by striking the word "livestock" therein and by inserting in lieu thereof the words "live stock".

XV. Amend the general file amendments, original, April 17, 1939, (Legislative Journal, Seventy-third Day, Hall amendment), Section 3, line 1 by striking the second word "Section" therein and by inserting in lieu thereof the abbreviation and punctuation "Sec.".

Correctly Engrossed

L. B. No. 462	L. B. No. 460	L. B. No. 129
L. B. No. 487	L. B. No. 44	L. B. No. 235

Correctly Enrolled

L. B. No. 362	L. B. No. 417	L. B. No. 461

Presented to Governor for Approval

Monday, May 1, 1939, at 2:40 p. m.

Legislative Bill No. 516.

(Signed) Craven, Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 362	L. B. No. 417	L. B. No. 461

MOTION—To Add Name to Amendment

Mr. President: I move that the name of Mr. Craven be added to the Gantz-Reavis amendment to L. B. No. 170. (Signed) Hastings.

The motion prevailed.

RESOLUTIONS

Ernest A. Adams offered the following resolution and moved its adoption:

LEGISLATIVE RESOLUTION NO. 30. **Respecting the Memory of James E. Quinn.**

WHEREAS, the Legislature of the state of Nebraska has heard, since the convening of its Fifty-third Session, with profound sorrow of the death of James E. Quinn on or about May 1, 1939, and

WHEREAS, James E. Quinn, during the 1923 and 1935 legislative sessions was a member of the House of Representatives, contributed materially to the constructive legislation approved during such sessions, in such a manner that marked him as a man of honor, integrity and ability and one whose service to the state of Nebraska was recognized, and

WHEREAS, supplemental to his legislative activities, James E. Quinn, as a sturdy pioneer, prominent farmer and stockman, gained the respect and devotion of the fellow citizens of his community, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That the Legislature of Nebraska, Fifty-third Session, pause for a moment during its deliberations to recognize the services which James E. Quinn rendered to his community and to his state.

2. That the clerk of the Legislature forthwith be directed to send to the widow and family of the deceased at Elkhorn, Nebraska, a copy of this resolution, properly authenticated, and suitably engrossed, after the same shall have been spread at large upon the Journal of this Legislature, as an expression of our profound reverence to James E. Quinn's memory.

The rules were suspended and the resolution adopted with 35 ayes, no nays, 8 not voting.

SELECT FILE

LEGISLATIVE BILL NO. 447. E and R amendments as found in the Legislative Journal for the Eighty-fourth Day were adopted.

Mr. Dunn offered the following amendment which was adopted by unanimous consent:

1. Amend the standing committee amendments, March 15, 1939, mimeographed, amendment 1, page 5, Section 2, line 21 by inserting before the punctuation and word ' "Weekly ' therein the following: "(1)".

2. Amend the standing committee amendments, March 15, 1939, mimeographed, amendment 1, page 5, Section 2, lines 27 and 28 by striking therefrom the punctuation and words '**"Weekly Benefit for Unemployment"**' therein and by inserting in lieu thereof the following;

'(2) **"WEEKLY BENEFIT FOR UNEMPLOYMENT"**'.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL NO. 168. Mr. Craven offered the following amendment, which was adopted:

Amend the Callan amendment by striking out the word "original" before the words "board of Directors" in line 6 of Sec. 2, page 5 of the mimeographed copy dated May 2, 1939; and strike the following words from line 1 of page 6 thereof: "have granted a franchise to said district to" and in line 1, page 6 place the word "to" before the word "which" and add the words "said district" after the word "which" in the same line.

Referred to E and R for review.

LEGISLATIVE BILL NO. 170. Mr. Gantz offered the following amendment, which was adopted:

That mimeographed copy, dated May 2, be amended as follows: That the words "an original" in line 24 on page 2 be stricken and the word "a" be inserted in lieu thereof.

Mr. Thomas offered the following amendment, which was adopted:

Page 2, Sec. 1, line 17 (mimeographed copy dated 5-2-39), strike "/or" and insert the following: "shall comply with the provisions of any existing applicable laws or ordinances".

Mr. Dunn offered the following amendment, which was adopted:

Add the emergency clause to both the body and the title of the bill.

Mr. Gantz offered the following amendment, which was adopted:

In line 29, page 2 (mimeographed copy 5-2-39) insert a comma after the word "village".

Referred to E and R for review.

LEGISLATIVE BILL NO. 185. Mr. Murphy moved that the bill be held in abeyance and retain its place on General File until 168 and 170 are disposed of.

The motion prevailed.

LEGISLATIVE BILL NO. 190. Mr. Howard offered the following amendment:

1. Amend the printed bill, page 1, Section 1, line 10, by inserting after the word **"district"** and before the word **"shall"** therein the following; **"or that when a public power and irrigation district".**

2. Amend the printed bill, page 1, Section 1, line 11 by striking therefrom the words **"property within"** therein and by inserting in lieu thereof the following: **"property, real or personal, within or without"**; and in said line 11 after the word **"purchase"** and before the word **"from"** insert the words **"or otherwise."**

3. Amend the printed bill, page 1, title, and pages 2 and 3, Section 2, by broadening said title and by restating said proposals so that the same will comply with the foregoing amendment.

Laid over.

LEGISLATIVE BILL NO. 74. The opinion of the Attorney General, dated April 19, 1939, concerning the constitutionality of L. B. No. 74 was read.

Mr. Gantz offered the following amendment, which was adopted:

Amend Section 5 of L. B. 74, line 5, by striking the words "shall have no" and insert the word "any" in lieu thereof; that the word "would" be inserted after the word "which" at the end of the next to the last line in said section; that the word "causes", same being the first word of the last line in said section, be stricken and the word "cause" be inserted in lieu thereof; that the period (.) following the word "unsanitary", same being the last word in said section, and in lieu thereof the following be inserted: ", shall be equipped with spring hinges or other automatic device that will keep said door or doors closed at all times except when in use."

Mr. Westley moved to refer to E and R for review.

After discussion, Mr. Norman moved the previous question, which motion was lost with 21 ayes, 7 nays, 15 not voting.

Laid over.

MOTION—To Expunge from Record

Mr. President: I move to expunge from the record the Hastings motion with reference to adding Mr. Craven's name to the Gantz-Reavis amendment. (Signed) Johnson.

The motion was lost.

Consent Granted to Withdraw Name

Unanimous consent was granted Mr. Craven to have his name stricken as a co-introducer of the Gantz-Reavis amendment offered to L. B. No. 170 on the Eighty-fourth Day.

Request to Withdraw Name

Mr. Reavis asked unanimous consent to have his name withdrawn from the Gantz-Reavis amendment to L. B. No. 170 offered on the Eighty-fourth Day.

Objection was raised.

Adjournment

At 11:55 a. m. Mr. Schultz moved that the rules be suspended and the Legislature adjourn until 8:00 a. m. Thursday.

A call of the House was ordered.

The call was raised.

The motion prevailed with 30 ayes, 9 nays, 4 not voting.

Hugo F. Srb,
Clerk of the Legislature.

EIGHTY-SIXTH DAY

Legislative Chamber.
Lincoln, Nebraska, May 4, 1939.

The Legislature met at 8:05 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Miller and Mr. Mueller, who were excused.

The Journal for the Eighty-fifth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

All members, one, opposing L. B. No. 185, one, favoring L. B. No. 185.

Approved by the Governor

May 2nd, 1939.

To the Members of the Legislature:

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bill:

L. B. No. 344.

Respectfully submitted,
(Signed) Otho K. De Vilbiss
Secretary to the Governor

STANDING COMMITTEE REPORTS

Legislative Administration

April Expenditures

Fund E-2			$37,500.13
Members' Salaries (none)			
Balance in Fund E-2			37,500.13
Funds E-3, E-4, E-5			7,740.90
Officers' and Employees' Salary, April 1st to April 15th, inc., E-4	$3,439.00		
Legislative Reference Bureau, E-4	1,809.00		
		$5,239.00	
Postage, E-5		1,250.00	
Printing, Office and Janitor Supplies, E-5		631.11	
Telephone Rental and Tolls, Feb. & Mar., E-5		185.76	
Typewriter Rental, E-5		90.00	
Flowers		2.00	
(Appropriation Committee Members Inspecting Booth Memorial, Omaha) Transportation, E-5		6.65	
(Chairman of Commission on Intergovernmental Cooperation as delegate attending conference, Council of State Governments, Chicago, April 4, 5, 6, 7, 8) Transportation, Lodging, Meals, E-5		62.52	
Total			7,467.04
Balance in Funds, E-3, E-4, E-5			$ 273.86
Fund No. 8			$ 900.00
Clerk of Legislature, Salary		$ 300.00	
Total			300.00
Balance in Fund No. 8			$ 600.00

New Employee.

Grace G. Gaines, Stenographer	$4.00

Employees Resigning

Maxine Ellsworth, Stenographer	$4.00
Margaret Devers, Stenographer	4.00
Rosa Bickert, Committee Clerk	5.00
E. J. Keogh, Cloak Room Attendant	3.50

(Signed) Carsten, Chairman

By unanimous consent the Clerk dispensed with reading the report, for the reason that it appears in the Journal in detail.

GENERAL FILE

Unfinished Business

LEGISLATIVE BILL NO. 74. Motion to refer to E and R for review considered and question put.

The Chair announced the motion lost.

Mr. Westley appealed from the decision of the Chair.

Record vote requested.

Voting in the affirmative, 15:

Adams, J. Jr.
Ashmore
Brady
Carsten
Craven
Gantz
Garber
Gross
Herrick
Howard
Johnson
Murphy
Peterson
Thomas
Von Seggern

Voting in the negative, 17:

Callan
Dunn
Gutoski
Hall
Hastings
Johnston
Klaver
Lambert
Mekota
Norman
Reavis
Reed
Rossiter
Sorrell
Tvrdik
Van Diest
Westley

Not voting, 11:

Adams, E. A.
Brodecky
Carlson
Diers
Doyle
Miller
Mischke
Mueller
Neubauer
Schultz
Thornton

The Chair was overruled.

Vote was taken on the motion to refer to E and R for review.

Record vote requested.

Voting in the affirmative, 18:

Callan
Carlson
Diers
Doyle
Dunn
Gutoski
Hall
Hastings
Johnston
Klaver
Lambert
Norman
Reavis
Reed
Rossiter
Sorrell
Tvrdik
Westley

Voting in the negative, 12:

Adams, J. Jr.
Ashmore
Brady
Brodecky
Carsten
Craven
Gross
Herrick
Howard
Neubauer
Thomas
Von Seggern

Not voting, 13:

Adams, E. A.
Gantz
Garber
Johnson
Mekota
Miller
Mischke
Mueller
Murphy
Peterson
Schultz
Thornton
Van Diest

The motion prevailed.

Referred to E and R for review.

MOTION—To Change Position on General File

Mr. President: I move that the following bills be placed at the head of General File for immediate consideration:

L. B. No. 389
L. B. No. 390
L. B. No. 517
L. B. No 127
L. B. No. 327
L. B. No. 326

(Signed) Brady.

The motion prevailed with 31 ayes, no nays, 12 not voting.

GENERAL FILE

LEGISLATIVE BILL NO. 389. Mr. Ashmore offered the following amendments, which were adopted:

1. Amend the unofficial copy, mimeographed, with General File amendments, prepared pursuant to motion, page 3, Section 2, line 57 by inserting after the word "assistance", the last word in said section, the following:

"; and provided further, the Board of Control of state institutions shall never expend more than one-eighth of the specific appropriation made to it by the Legislature for the uses and purposes of the State Assistance Fund during any one-eighth of a biennium in allocating said fund to the several counties of the state on the basis of their respective needs, whether or not there be cash on hand to the credit of said fund; and provided further, that nothing contained in the preceding proviso shall be construed to prevent said Board of Control of state institutions from expending more than one-eighth of said appropriation during any one-eighth of said biennium if the amount so expended during said three months in excess of one-eighth of said appropriation shall arise out of and be paid solely from accumulations in

the State Assistance Fund resulting from balances remaining and unexpended after allocation of said fund shall have been made to the several counties during any one or more previous three-months period or periods of said biennium;".

2. Amend the unofficial copy, mimeographed, with General File amendments, prepared pursuant to motion, page 1, title, line 13, by inserting after the word and punctuation "thereof;" the following:

"to provide that the Board of Control of state institutions shall never expend more than one-eighth of the specific appropriation made to it by the Legislature for the uses and purposes of the State Assistance Fund during any one-eighth of a biennium in allocating said fund to the several counties of the state on the basis of their respective needs, whether or not there be cash on hand to the credit of said fund, except from balances remaining and unexpended after allocation of said fund shall have been made to the several counties during any one or more previous three-months period or periods of said biennium;".

Mr. Rossiter offered the following amendments:

1. Amend the Unofficial Copy, mimeographed, pages 5, 6 and 7 by striking all of Sections 5 and 6 thereon.

2. Amend the Unofficial Copy, mimeographed, page 7, by renumbering Sections 7 and 8 to correspond with the foregoing amendment.

3. Amend the Unofficial Copy, mimeographed, page 7, Section 7, line 1, by striking the punctuation "," after the section symbol "68-268" therein and by inserting in lieu thereof the conjunction "and"; and in line 2 of said Section 7 strike "68-263 and 68-280,".

4. Amend the Unofficial Copy, mimeographed, page 1, title, by restricting the subject of said title to comply with the foregoing amendments.

After discussion of the amendments, Mr. Lambert moved the previous question.

The motion prevailed with 32 ayes, no nays, 11 not voting.

Record vote was requested on the amendments.

Voting in the affirmative, 21:

Ashmore
Brady
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gross
Hall
Howard
Johnson
Mischke
Murphy
Peterson
Reavis
Rossiter
Sorrell
Thomas
Thornton
Von Seggern

Voting in the negative, 10:

Gantz
Garber
Gutoski
Hastings
Klaver
Mekota
Neubauer
Schultz
Van Diest
Westley

Not voting, 12:

Adams, E. A.
Adams, J. Jr.
Brodecky
Craven
Herrick
Johnston
Lambert
Miller
Mueller
Norman
Reed
Tvrdik

The amendments were adopted.

Mr. Rossiter offered the following amendments, which were adopted:

A. Amend the unofficial copy, mimeographed, with General File amendments, prepared pursuant to motion, page 7, by inserting immediately after Section 6 and before Section 7 thereon the following:

"Sec. 7. That Sec. 43-518, Comp. St. Supp., 1937, be amended to read as follows:

43-518. Upon the death of any dependent child with respect to which assistance hereunder is being paid, such reasonable funeral and burial expenses shall be paid to such person as the ~~Board~~ **county board of the proper county, as elsewhere provided by law,** may direct: Provided, that no more than sixty dollars shall be paid therefor; and provided, that no funeral or burial expenses shall be paid when relatives or other persons liable therefor can pay the same, or when the estate of the deceased is sufficient therefor.

Sec. 8. That Sec. 68-266, Comp. St. Supp., 1937, be amended to read as follows:

68-266. Upon the death of any person receiving old age assistance, such reasonable funeral and burial expenses shall be paid to such person as the ~~Board~~ **county board of the proper county, as elsewhere provided by law,** may direct: Provided, that no more than ~~$75.00~~ **seventy-five dollars** shall be paid therefor : ~~Provided,~~ **; and provided** further, that no funeral or burial expenses shall be paid when relatives or other persons liable therefor can pay the same, or when the estate of the deceased is sufficient therefor.

Sec. 9. That Sec. 68-410, Comp. St. Supp., 1937, be amended to read as follows:

68-410. Upon the death of any person receiving blind assistance, such reasonable funeral and burial expenses shall be paid to such person as the ~~Board~~ **county board of the proper county, as elsewhere pro-**

vided by law, may direct: Provided, that no more than seventy-five dollars ($75.00) shall be paid therefor; **and** provided, further, that no funeral or burial expenses shall be paid when relatives or other persons liable therefor can pay the same, or when the estate of the deceased is sufficient therefor."

B. Amend said unofficial copy, mimeographed, page 7, by renumbering Sections 7 and 8 to comply with the foregoing and all other amendments adopted to the bill.

C. Amend the unofficial copy, mimeographed, Section 7, by rereferring to said original section to be repealed so that the same will comply with the foregoing amendments and all other amendments adopted to the bill.

D. Amend the unofficial copy, mimeographed, page 1, title, by redrafting said title so that the same will embrace all subject matter included in the foregoing and all other amendments as finally adopted to the original bill.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 390. Standing Committee amendments as found in the Legislative Journal for the Sixty-third Day were adopted.

Mr. Rossiter offered the following amendments, which were adopted:

1. Amend the Standing Committee amendments, mimeographed, April 3, 1939, page 1, Amendment 1, Section 1, line 14, by inserting after the word "**Fund**" therein the following:

"shall be used for the payment of blind assistance which shall be paid in full on the need basis regardless of the adequacy of the funds to pay the other assistance grants".

2. Amend the Standing Committee amendments, mimeographed, April 3, 1939, page 1, Amendment 1, Section 1, line 17, by striking therefrom the punctuation and word "**, blind**" ; and in line 15 of said Section 1 insert immediately preceding the word "shall" therein the words: "**and thereafter**".

Referred to E and R for review.

MOTION—To Suspend Rules and Consider

Mr. President: I move that the rules be suspended and that L. B. No. 517 now be considered on General File. (Signed) Ernest A. Adams.

The motion prevailed, with 32 ayes, no nays, 11 not voting.

GENERAL FILE

LEGISLATIVE BILL NO. 517. Read and considered.

Mr. Van Diest offered the following amendment:

That Sec. 1, page 3, immediately following line 54 (mimeographed bill) be amended as follows:

Estate of George C. Stevenson for Liquor License refund due to the death of Geo. C. Stevenson, general fund, One Hundred Nineteen and 17/100 Dollars ($119.17).

Mr. Lambert moved the previous question.

The motion prevailed with 31 ayes, no nays, 12 not voting.

The amendment was adopted.

Mr. Mischke offered the following amendment:

After line 330, page 10, add the following:

Frank Reed, Venus, Neb., damage to car in striking maintainer; to come out of Gasoline Tax Construction Fund, $250.00

Laid over.

Adjournment

At 12:13 p. m. Mr. Von Seggern moved that the rules be suspended and that the Legislature adjourn until 8:00 a. m. Friday.

The motion prevailed with 29 ayes, 7 nays, 7 not voting.

Hugo F. Srb,
Clerk of the Legislature.

EIGHTY-SEVENTH DAY

Legislative Chamber,
Lincoln, Nebraska, May 5, 1939.

The Legislature met at 8:05 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Mueller who was excused.

The Journal for the Eighty-sixth Day was approved.

COMMUNICATIONS

An excerpt was read from the Congressional Record, stating that a copy of Resolution No. 25 regarding Interstate Transit Privileges had been presented to the Senate by Vice President Garner.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL NO. 55. Placed on General File as amended.

(Standing Committee amendments mimeographed in lieu of printing in Journal.)

(Signed) Von Seggern, Chairman.

Enrollment and Review

Presented to Governor for Approval

Thursday, May 4, 1939 at 8:15 a. m.

L. B. No. 362 L. B. No. 417 L. B. No. 461

(Signed) Craven, Chairman.

MOTION—To Appoint Committee on Memorial Resolution

Mr. President: I move that the Chair appoint a committee of five to prepare a memorial resolution respecting the memory of former members who have died since April 2, 1935. (Signed) Diers.

The motion prevailed and the Chair appointed the following members to serve on said committee:

Gantz, Chairman; Westley Klaver Carlson Sorrell

BILLS ON THIRD READING

The following bills were read the third time and put upon passage.

LEGISLATIVE BILL NO. 129.

A bill for an Act relating to health; enabling the people in any county having a population of more than two hundred thousand inhabitants to create a health district coextensive with such county; to declare that the regulation of public health as well as the remedial treatment and care of the indigent sick people within any such district are matters of general state concern; to provide the procedure for the creation of such districts; to define and limit their powers; to provide for them a governing body; to empower them to raise the necessary funds to administer their functions by the levy and collection of taxes upon the property within such districts; to empower them to make all proper regulations affecting the subject matter of the Act; to provide a penalty for the violation of said regulations; to transfer the control and management of all real estate and personal property theretofore owned and used by any governmental subdivision within said district for the regulation of public health as well as the remedial treatment and care of the indigent sick people to the health district created pursuant to this Act; to provide for recovery of fair value of treatment and care rendered in certain cases; to provide for payment by governmental subdivisions for special treatment and care rendered to members thereof; to suspend any existing grant of governmental power to other governmental subdivisions to perform functions granted to such health districts during the legal existence of any such health districts; and to provide the manner in which they may be dissolved.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 36:

Adams, E. A.
Adams, J. Jr.
Brady
Brodecky
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Garber
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Murphy
Neubauer
Norman
Peterson
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern

Voting in the negative, 3:

Ashmore
Craven
Gross

Not voting, 4:

Callan
Mueller
Reavis
Westley

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 130.

A bill for an Act to amend Sec. 14-514, Comp. St. Supp., 1937, relating to the fiscal management of cities of the metropolitan class, having a population of more than one hundred fifty thousand inhabitants; to provide for the reduction of the maximum levy in any such city which is situated in a county containing a duly constituted and functioning health district; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 37:

Adams, E. A.
Adams, J. Jr.
Brady
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Mekota
Miller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern

Voting in the negative, 0.

Not voting, 6:

Ashmore
Craven
Lambert
Mischke
Mueller
Westley

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 131. (With emergency clause)

A bill for an Act to amend Sec. 26-108, Comp. St. Supp., 1937, as amended by Section 1, Legislative Bill No. 23, Fifty-third Session, Nebraska State Legislature, 1939, relating to county government and officers; to provide the maximum annual levy in any county in which a health district shall have been duly constituted and shall not have been dissolved; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 37:

Adams, E. A.
Adams, J. Jr.
Brady
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern

Voting in the negative, 0.

Not voting, 6:

Ashmore
Craven
Garber
Mischke
Mueller
Westley

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 462. (With emergency clause)

A bill for an Act relating to state institutions; to direct the Board of Control of state institutions to close the Nebraska Industrial Home at Milford as rapidly as the physical condition of the inmates therein warrants from and after the effective date of this Act; to provide for the hospitalization of said inmates in such other suitable institution or private hospital as the Board of Control of state institutions shall designate; to require the Board of Control of state institutions to provide a caretaker for said home after its closing; to provide for the protection and care of unwed mothers and certain worthy married women and their children hereafter through the Child Welfare Division of said Board of Control of State institutions; to repeal Article 13, Chapter 83, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 17:

Ashmore
Brady
Brodecky
Callan
Carsten
Garber
Gutoski
Klaver
Mischke
Murphy
Norman
Peterson
Reavis
Reed
Thomas
Thornton
Tvrdik

Voting in the negative, 23:

Adams, E. A.
Adams, J. Jr.
Carlson
Craven
Diers
Doyle
Dunn
Gantz
Gross
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Lambert
Mekota
Neubauer
Schultz
Sorrell
Van Diest
Von Seggern
Westley

Not voting, 3:

Miller
Mueller
Rossiter

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause.

Vote on L. B. No. 462 With Emergency Clause Stricken:

Voting in the affirmative, 17:

Ashmore
Brady
Brodecky
Callan
Carsten
Garber
Gutoski
Klaver
Mischke
Murphy
Norman
Peterson
Reavis
Reed
Thomas
Thornton
Tvrdik

Voting in the negative, 23:

Adams, E. A.	Dunn	Howard	Schultz
Adams, J. Jr.	Gantz	Johnson	Sorrell
Carlson	Gross	Johnston	Van Diest
Craven	Hall	Lambert	Von Seggern
Diers	Hastings	Mekota	Westley
Doyle	Herrick	Neubauer	

Not voting, 3:

Miller	Mueller	Rossiter

A constitutional majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause stricken.

LEGISLATIVE BILL NO. 487. (With emergency clause)

A bill for an Act relating to school districts and schools in districts embraced within the provisions of Article 27, Chapter 79, Compiled Statutes of Nebraska, 1929, as amended; to amend Sec. 79-2722 (b), Comp. St. Supp.,-1937 (First Section 6, Chapter 176, Session Laws of Nebraska, 1937), relating to schools; to provide for increasing the aggregate school tax to a sum not exceeding fifteen mills on the dollar upon the actual value of all the taxable property of the district by a vote of the qualified electors of such district; to provide the manner in which such proposition shall be submitted and that the result of said election shall be certified and a tax levied in accordance therewith; to provide in case such proposition becomes effective for the creation of funds as follows: (a) Such fund for the general operation of schools as may be created by a levy of not to exceed ten and one-half mills, (b) A fund for the sole purpose of paying interest on, and retiring, funding or servicing bonded indebtedness of said district and for no other purpose such as may be created by a levy of not to exceed four mills on the dollar, (c) A fund for the acquisition of sites and the erection of buildings such as may be created by an annual levy of not less than one-half mill on the dollar, all of said levies to be made upon the actual valuation of all the property in said district subject to taxation; to provide that each school district within the state of Nebraska, embraced within the terms and provisions of Article 27, Chapter 79, Compiled Statutes of Nebraska, 1929, as amended, shall be authorized and empowered to borrow money and to issue and sell bonds of the district upon such sale first being authorized by the electors of the district at an election properly held; to authorize such district to levy not to exceed one-fourth of a mill upon the assessed value of taxable property within the district for the purpose of establishing a recreation fund; to establish, manage and equip and maintain playground and recreation centers; to repeal said original section; to repeal Sec.

79-2722 (a), Comp. St. Supp., 1937 (Section 2, Chapter 183, Session Laws of Nebraska, 1937); and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Garber
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 5:

Callan
Craven
Gross
Mueller
Thornton

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Explanation of Vote

Mr. President: The Board of Education and the Parent-Teachers Association of Omaha indorsed L. B. No. 125, not this bill; but I vote aye on L. B. No. 487 because the serious condition of our public schools requires some bill, and this bill is better than no bill at all. (Signed) Sam Klaver.

LEGISLATIVE BILL NO. 460. (With emergency clause)

A bill for an Act relating to state institutions; to require that the Board of Control of state institutions shall, during the biennium commencing July 1, 1939 and ending June 30, 1941, provide for a caretaker for the branch institution of the Soldiers' and Sailors' Home at Milford, Nebraska, heretofore discontinued as a state institution; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency cause attached?' "

Voting in the affirmative, 39:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Miller
Mischke
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 4:

Carlson
Gross
Mekota
Mueller

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 235. (With emergency clause)

A bill for an Act to amend Sec. 66-405, Comp. St. Supp., 1937, as amended by Sec. 2, Legislative Bill No. 483, Fifty-third Session, Nebraska State Legislature, 1939; to amend Secs. 66-411 and 66-416, Comp. St. Supp., 1937, relating to the excise tax levied on the sale and use of motor vehicle fuels; to provide that, from and after the passage and approval of this Act up to and including June 30, 1939 and until June 30, 1941, one cent per gallon of said tax of five cents per gallon so levied and collected shall be credited to the State Assistance Fund; to provide that fifty per cent of the Gas Tax Fund shall be transferred to the Department of Roads and Irrigation for the uses and purposes specified in said section, and for federal feeder roads and for the incidental costs in connection with the federal aid grade crossing program, for roads not on federal highways, state highways or federal feeder roads; to repeal said original section as amended; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brodecky
Dunn
Gantz
Garber
Gutoski
Klaver
Lambert
Mekota
Miller
Reed
Rossiter
Schultz
Sorrell

Callan
Carlson
Carsten
Craven
Diers
Doyle
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Mischke
Murphy
Neubauer
Norman
Peterson
Reavis
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 1:

Brady

Not voting, 2:

Gross
Mueller

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—To Return to Select File

Mr. President: I move that Legislative Bill No. 44 be recommitted to Select File for the following specific amendments:

1. Amend the printed bill, line 11, by striking the words "90% of such tax payments" and insert in lieu thereof the following "54% of that part of such tax payments which represents payments made by such employers with respect to Nebraska employment (as the term 'employment' is defined in 1937 Nebraska Unemployment Compensation Law)."

2. Amend the printed bill, title, page 1, line 7 by inserting after the word "credit" therein the words "a portion of".

(Signed) Doyle.

The motion prevailed with 20 ayes, 17 nays, 6 not voting.

GENERAL FILE

Unfinished Business

LEGISLATIVE BILL NO. 517. The Mischke amendment found in the Legislative Journal for the Eighty-sixth Day was considered.

Vote was taken thereon and the amendment was lost.

Recess

At 11:00 a. m. the Legislature recessed for fifteen minutes.

After Recess

At 11:15 a. m. the Legislature reconvened, President Johnson presiding.

The roll was called and all members were present except Mr. Mueller who was excused.

Visitors

Senoritas Maria da Gloria Mara e Almeida and Sylvia Cunha de Amorim of Rio de Janeiro, Brazil, accompanied by Mrs. John H. Brunson of Louisville, Nebraska, were introduced.

GENERAL FILE

LEGISLATIVE BILL NO. 517. Ernest A. Adams offered the following amendments, which were adopted:

I. Amend page 7, line 42, Section 1 of the original bill, (page 10, Section 1, line 299 of the printed bill) by striking the word "hold" and inserting in lieu thereof the word **"hole"**.

II. Amend page 8, line 17, Section 1 of the original bill, (page 10, Section 1, line 320 of the printed bill) by inserting the punctuation mark "," following the word "Benjamin" and by striking the word "Rub" and inserting in lieu thereof the word **"Ruby"**.

III. Amend page 8, line 38, Section 1 of the original bill, (page 11, Section 1, line 337 of the printed bill) by striking the figures "33.83" and inserting in lieu thereof the figures **"36.83"**.

IV. Amend page 8, line 50, Section 1 of the original bill, (page 11, Section 1, line 343 of the printed bill) by inserting following the word "States" and before the word "Co." the word **"Oil"**.

V. Amend page 9, lines 20 and 21, Section 1 of the original bill, (page 11, Section 1, lines 354 and 355 of the printed bill) by striking the word "Flemming" and inserting in lieu thereof the word **"Fleming"**.

VI. Amend page 9, line 27, Section 1 of the original bill, (page 11, Section 1, line 358 of the printed bill) by striking the word "Loyd" and inserting in lieu thereof the word **"Loyson"**.

Referred to E and R for review.

Recess

At 12:09 p. m. Mr. Sorrell moved to recess until 2:00 p. m.

Substitute Motion

As a substitute motion Mr. Mischke moved to adjourn.

The Mischke motion was lost with 17 ayes, 18 nays, 8 not voting.

The vote on the Sorrell motion was 19 ayes, 19 nays, 5 not voting.

The President voted aye and the Legislature recessed until 2:00 p. m.

After Recess

At 2:05 p. m. the Legislature reconvened, President Johnson presiding.

Roll was called and all members were present except Messrs. Ernest A. Adams and John Adams, Jr., and except Messrs. Ashmore, Brady, Mueller, Norman and Thomas who were excused.

STANDING COMMITTEE REPORTS

Appropriations

LEGISLATIVE BILL NO. 518. Placed on General File.

(Signed) Brady, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 168. Placed on Select File with amendments.

E and R amendments to L. B. No. 168:

I. Amend the unofficial copy, May 2, 1939, mimeographed, page 3, Section 1, line 41, by inserting after the word "there" and before the word "be" therein the following: "shall".

II. Amend the unofficial copy, May 2, 1939, mimeographed, page 4, Section 1, line 90, by striking the word **"just"** following the word **"deem,"** and insert the word **"fair"** in lieu thereof; and in line 102, strike the word **"just"** (the first word in said line) and in lieu thereof insert the words **"fair and reasonable"**.

III. Amend the unofficial copy, May 2, 1939, mimeographed, page 4, Section 1, line 102, by striking the word **"such"** following the word **"If"** and before the word **"city"** and insert the word **"any"** in lieu thereof.

IV. Amend the unofficial copy, May 2, 1939, mimeographed, page 5, Section 1, line 117, by striking the first word **"or"** in said line and insert the word **"and"** in lieu thereof.

V. Amend General File amendment, (by Craven, May 3, 1939) by underscoring all new matter.

VI. To comply with General File amendments (by Callan), May 2, 1939, No. 4, broaden the title to cover all subjects included in the amendments by amending the title of the original bill, printed bill and mimeographed Standing Committee amendments, by striking all of said title after the word "ACT," and inserting in lieu thereof the title as printed on the unofficial copy dated May 2, 1939.

VII. Amend the unofficial copy, May 2, 1939, mimeographed, page 1, title, line 22, by striking the word "or" after the word "village" and before the word "school", and insert the word "and" in lieu thereof.

VIII. Amend the unofficial copy, May 2, 1939, mimeographed, page 5, Section 1, line 116, by striking the word **"such"** after the word **"which"** and before the word **"state,"** and insert the word **"the"** in lieu thereof.

LEGISLATIVE BILL NO. 170. Placed on Select File with amendments.

E and R amendments to L. B. No. 170:

I. Amend the unofficial copy, May 2, 1939, mimeographed, page 1, Section 1, line 1, by striking the first word "Section" therein and by inserting in lieu thereof the abbreviation and punctuation "Sec."

II. Amend the unofficial copy, May 2, 1939, mimeographed, page 1, Section 1, line 2, by striking therefrom the words "and the same hereby is".

III. Amend the unofficial copy, May 2, 1939, mimeographed, page 1, Section 1, lines 9 and 10, by striking therefrom the word "non-discriminatory" therein and by inserting in lieu thereof the word **"nondiscriminatory".**

IV. Amend the unofficial copy, May 2, 1939, mimeographed, page 3, by inserting immediately after Section 4 thereon a new section to be numbered as follows:

"Sec. 5. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law".

V. Amend the unofficial copy, May 2, 1939, mimeographed, page 1, title, line 15, by striking the first conjunction "and" therein; and after the word "sections" in said line 15, insert the following: "; and to declare an emergency".

VI. Amend the General File Amendments, May 3, 1939, original, amendment 2, lines 2 and 3, by striking therefrom "shall comply with the provisions of any existing applicable laws or ordinances" and by inserting in lieu thereof the following:

"shall comply with the provisions of any existing applicable laws or ordinances".

(Signed) Craven, Chairman.

Approved by the Governor

May 4th, 1939.

To the Members of the Legislature

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bills:

L. B. No. 461 L. B. No. 417

Respectfully submitted,

(Signed) Otho K. De Vilbiss
Secretary to the Governor.

SELECT FILE

Mr. Hall presiding.

LEGISLATIVE BILL NO. 44. Vote was taken on the Specific amendment found in this Day's Journal.

A call of the House was ordered.

The call was raised.

The amendment was lost with 17 ayes, 18 nays, 8 not voting.

Referred to E and R for reengrossment.

LEGISLATIVE BILL NO. 132. E and R amendments as found in the Legislative Journal for the Eighty-fifth Day were adopted.

Mr. Gutoski offered the following amendment, which was adopted by unanimous consent:

That E and R amendment No. XXII to L. B. 132 be corrected by inserting in line 5 of Sec. 26-108 after the word "constituted" the following: "as provided by Legislative Bill No. 129, Fifty-third Session, Nebraska State Legislature, 1939".

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 2. E and R amendments as found in the Legislative Journal for the Eighty-fifth Day were adopted.

Mr. Mekota offered the following amendment, which was adopted by unanimous consent:

Amend L. B. 2 by striking subdivision (c) of Sec. 2 and inserting in lieu thereof the following:

(c) The operation of any motor carrier owned in any city or village of this state in the transportation of property within such city or village or within a radius of five miles beyond the corporate limits thereof.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL NO. 127. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Seventieth Day were adopted.

Referred to E and R for review.

Adjournment

At 3:15 p. m. on motion by Mr. Diers the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

EIGHTY-EIGHTH DAY

Legislative Chamber,
Lincoln, Nebraska, May 8, 1939.

The Legislature met at 9:00 a. m. President Johnson presiding.

Rabbi David H. Wice of Omaha led the Legislature in prayer.

The roll was called and all members were present except Mr. Mueller who was excused.

The Journal for the Eighty-seventh Day was approved as corrected.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly Enrolled

L. B. No. 129	L. B. No. 131	L. B. No. 460
L. B. No. 130	L. B. No. 487	L. B. No. 235

(Signed) Craven, Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 129	L. B. No. 131	L. B. No. 460
L. B. No. 130	L. B. No. 487	L. B. No. 235

SELECT FILE

LEGISLATIVE BILL NO. 168. E and R amendments as found in the Legislative Journal for the Eighty-seventh Day were adopted.

Mr. Craven offered the following amendments which were adopted by unanimous consent:

1. Amend the unofficial copy (mimeographed, May 2, 1939) page 5, Section 1, line 146 (line 39 from the top of Page 5) by inserting after the word "payments." and before the word "The", the following:

"All sums of money to be paid by said districts in lieu of taxes, as in this section provided, shall be paid at the times, places, and to the tax collecting officers as now or may hereafter be provided by law for the payment of taxes, and said tax collecting officers are hereby authorized and directed to receive and collect the same, and distribute all moneys so received to the governmental subdivisions entitled thereto."

2. Amend the unofficial copy (mimeographed, May 2, 1939), page 6, by adding a new section as follows:

"Sec. 5. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law."

3. Amend the unofficial copy (mimeographed, May 2, 1939), page 2, title, line 41, by adding after the word "payments;" the following:

"to provide for the collection and distribution by the tax collecting officers of the state, of said money to be paid in lieu of taxes by said districts;"

4. Amend the unofficial copy (mimeographed, May 2, 1939), page 2, title, line 48, by inserting after the word "subsection" and before the punctuation "." the following:

"; and to declare an emergency".

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 170. E and R amendments as found in the Legislative Journal for the Eighty-seventh Day were adopted.

Referred to E and R for engrossment.

GENERAL FILE

Mr. Gantz presiding.

LEGISLATIVE BILL NO. 55. Read and considered.

Mr. Von Seggern offered the following amendment, which was adopted by unanimous consent:

That the report of the Standing Committee comply with the rules of the Legislature as to form.

Standing Committee amendments as mimeographed and mentioned in the Legislative Journal for the Eighty-seventh Day were adopted.

President Johnson presiding.

Mr. Craven offered the following amendments, which were adopted:

1. Amend Section 3, page 4, line 2 of the mimeographed bill by inserting after the words "attorney general" and the comma, the following words; "as, if and when necessary".

2. Amend Section 4, line 7, page 5 of the mimeographed bill by inserting after the word "commissioner" the following words; "as, if and when necessary.

3. Amend Section 7, line 5 of the new matter in said section, page 6, of the mimeographed bill by inserting after the word "counsel" and the comma, the following words; "as, if and when necessary,".

Mr. Hastings moved to refer to E and R for review.

Record vote was requested.

A call of the house was ordered.

The call was raised.

Voting in the affirmative, 19:

Adams, J. Jr.
Ashmore
Brady
Carlson
Carsten
Craven
Garber
Hastings
Howard
Johnston
Klaver
Miller
Mischke
Peterson
Schultz
Sorrell
Thomas
Thornton
Westley

Voting in the negative, 11:

Adams, E. A.
Diers
Dunn
Gantz
Gross
Gutoski
Mekota
Reavis
Rossiter
Van Diest
Von Seggern

Not voting, 13:

Brodecky
Callan
Doyle
Hall
Herrick
Johnson
Lambert
Mueller
Murphy
Neubauer
Norman
Reed
Tvrdik

The motion prevailed.

Referred to E and R for review.

LEGISLATIVE BILL NO. 518. Read and considered.

MOTION—To Send Flowers to Member

Mr. President: I move that the Legislature send flowers to Mr. Mueller, who is ill. Thomas.

The motion prevailed.

Member Excused

Mr. Gantz was excused at 11:30 for the remainder of the day.

Recess

At 11:55 a. m. on motion by Mr. Lambert the Legislature recessed until 2:00 p. m.

After Recess

The Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present except Ernest A. Adams and except Mr. Mueller and Mr. Gantz who were excused.

Invitation

An invitation was extended to the members of the Legislature and their wives to attend a picnic at Antelope Park on Wednesday, May 10th, at 6:30 p. m. sponsored by the employees of the Legislature.

GENERAL FILE

Mr. Murphy presiding.

LEGISLATIVE BILL NO. 518. Referred to E and R for review.

LEGISLATIVE BILL NO. 327. Read and considered.

Mr. Miller offered the following amendments, which were adopted:

1. Amend Sec. 2, page 3, after repealed by inserting "and to declare an emergency".

2. Amend the title by inserting in line 3, following the word "section" the following; "and to declare an emergency".

Referred to E and R for review.

LEGISLATIVE BILL NO. 326. Read and considered.

Mr. Miller offered the following amendments which were adopted:

1. After the word "until" in line 5 of Sec. 1, insert "their successors are elected" and strike the last word in line 5, all of line 6 and in line 7 the word "tively".

2. In line 3, Section 3, after the word "council" insert "with the approval of the Legislature".

3. In Sec. 3, line 4 after the word "council" insert the words "and Legislature".

Mr. Ashmore offered the following amendment, which was adopted:

Amend Sec. 2 by inserting in line 12, following the word "service"' and before the word "for", the following: "subject to confirmation by the Legislature when it convenes".

President Johnson presiding.

Mr. Sorrell moved to indefinitely postpone.

The motion was lost with 6 ayes, 20 nays, 17 not voting.

Mr. Miller offered the following amendment which was adopted:

In line 19, Sec. 2 strike the word "such" and insert in lieu thereof "all of its"

Referred to E and R for review.

Member Excused

Mr. Norman was excused from attendance on Tuesday afternoon.

Adjournment

At 5:00 p. m. Mr. Schultz moved that the rules be suspended and the Legislature adjourn until 8:00 a. m. Tuesday.

Mr. Gutoski offered a substitute motion to adjourn.

The substitute motion prevailed.

Hugo F Srb
Clerk of the Legislature.

EIGHTY-NINTH DAY

Legislative Chamber,
Lincoln, Nebraska, May 9, 1939.

The Legislature met at 9:06 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Mueller who was excused.

The Journal for the Eighty-eighth Day was approved.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 74. Placed on Select File with amendments.

E and R amendments to L. B. No. 74:

I. Amend the unofficial copy, April 13, 1939, mimeographed, page 2, Section 2, line 11, by striking therefrom the word "who".

II. Amend said unofficial copy, mimeographed, page 2, Section 4. line 11; page 3, Section 7, lines 6 and 7; page 4, Section 10, line 5; page 1, title, line 12, by striking the word "State" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word "state".

III. Amend the unofficial copy, mimeographed, page 4, Section 9, line 8 by striking the words "post office" and by inserting in lieu thereof the word "post-office".

IV. Amend said unofficial copy, mimeographed, page 4, Section 9, line 28 by striking the word "co-operation" and by inserting in lieu thereof the word "cooperation".

V. Amend General File amendments, page 1, Amendment 1, (Gutoski) line 1, by striking the figure "6" and by inserting in lieu thereof the figure "20"; and in line 2 of said amendment strike the word "Nebraska" and insert in lieu thereof the word and punctuation "Act."; and in line 4 of said amendment (unofficial copy, mimeographed, April 13, 1939, page 5, Section 10, line 21) strike the word "act" after the word "this" and insert the word "Act" in lieu thereof.

VI. Amend said unofficial copy, mimeographed, page 5, Section 11, lines 4, 11, 13, 16, 18, 19, 28 and 29, by striking therefrom the dollar sign and the figures immediately thereafter in each of said lines respectively and engross the same in lower case words.

VII. Amend said unofficial copy, mimeographed, page 5, Section 11, lines 20, 24 and 26 by striking the figures and syllable "30th" in each of said lines respectively and by inserting in lieu thereof the word "thirtieth".

VIII. Amend said unofficial copy, mimeographed, page 5, Section 12, line 2 by striking therefrom the word "monies" and by inserting in lieu thereof the word "moneys".

IX. Amend said unofficial copy, mimeographed, page 5, Section 12, line 11 by striking the words "State Auditor" and by inserting in lieu thereof the words "auditor of public accounts".

X. Amend said unofficial copy, mimeographed, page 5, Section 12, line 12 by striking therefrom the preposition "in" and by inserting in lieu thereof the preposition "under".

XI. Amend the original bill, page 2, Section 1, line 13 (the unofficial copy, mimeographed, April 13, 1939, page 2, Section 1, line 11) by striking therefrom the section symbol "70-2023" and inserting in lieu thereof the section symbol "71-2023".

XII. Amend the original bill, page 3, Section 5, line 13, (the unofficial copy, mimeographed, page 3, Section 5, line 9) by striking the word "unsanitary" and inserting in lieu thereof the word "insanitary".

XIII. Amend said unofficial copy, mimeographed, page 1, title, by striking that part of said title commencing with the words "to empower" in line 4 therein down to and including the word and punctuation "Act;" in line 7 therein.

LEGISLATIVE BILL NO. 390. Placed on Select File with amendments.

E and R amendments to L. B. No. 390:

1. Amend the Standing Committee amendments, mimeographed April 3, 1939, page 1, Amendment 1, Section 1, line 9 by striking there-

from "$50,000.00" and by inserting in lieu thereof the words "**fifty thousand dollars**".

II. Amend the Standing Committee amendments, mimeographed, April 3, 1939, page 2, Amendment 1, line 53 by striking the figure "5" and by inserting in lieu thereof the figure "4".

LEGISLATIVE BILL NO. 517. Placed on Select File with amendments.

E and R amendments to L. B. No. 517:

I. Amend the General File amendments (Van Diest), May 4, 1939, original, Amendment 1 by striking all of lines 3, 4 and 5 therein and restate the same to tabulate the subject matter therein as follows:

"Estate of George C. Stevenson, ..., Nebraska	Refund Liquor License Due to the death of George C. Stevenson, pursuant to Sec. 53-327, Comp. St. Supp., 1937	General Fund	119.17 ".

II. Amend the original bill, page 10, line 16 by inserting after the abbreviation and punctuation "Inc." therein the punctuation ",".

III. Engross the bill so that the carry over, indicating the four columns will appear as line 1 on each page of the engrossed bill.

IV. Engross the bill so that the symbol "$" will appear in column 4 in line 2 of each page of the engrossed bill.

V. Amend the printed bill, pages 1 to 12 inclusive, by striking all ditto marks and engrossing the bill pursuant to subject matter contained in the original bill.

VI. Amend the original bill, pages 3 to 10, inclusive (the printed bill, pages 3 to 13, inclusive) by adding the word "Nebraska" after the name of each city or village following the name of the claimant where the same is omitted; and strike the abbreviations "Kans.", "Colo." and "Mo." wherever the same appear, and insert in lieu thereof the words "Kansas", "Colorado" or "Missouri" resepectively.

LEGISLATIVE BILL NO. 127. Placed on Select File with amendments.

E and R amendments to L. B. No. 127:

I. Amend the original bill, page 1, Section 2, lines 2 and 3 (the printed bill, page 1, Section 2, line 2); the original bill, page 2, Section 4, lines 2 and 3 (the printed bill, page 2, Section 4 line 2) by striking the word "legislature" wherever the same appears, in each of said lines respectively and by inserting in lieu thereof the word "Legislature".

LEGISLATIVE BILL NO. 389. Placed on Select File with amendments

E and R amendments to L. B. No. 389:

XI. Amend the General File amendments, Rossiter, Eighty-sixth day, May 4, 1939, original, Amendment A, Section 7, line 9, by inserting after the word "provided" therein the word "further"; amend the Ashmore amendment, original, page 1, Amendment 1, line 22, by striking the ";" after the word "biennium" therein.

XII. Amend the General File amendments, Eighty-sixth day, May 4, 1939, original, amendment A by renumbering Sections 7, 8 and 9 therein so that same will appear in the engrossed bill as Sections 5, 6 and 7, respectively.

XIII. Amend the unofficial copy, mimeographed, pursuant to said Rossiter General File amendments B and C (cited above) by striking all of Sections 7 and 8 on page 7 of said unofficial copy, mimeographed, and by inserting in lieu thereof the following:

"Sec. 8. That said original Secs. 68-258, 68-260, 68-268,68-274, 43-518, 68-266 and 68-410, Comp. St. Supp., 1937, are hereby repealed.

Sec. 9. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law."

XIV. Amend the unofficial copy, mimeographed, page 1, title, pursuant to Rossiter General File amendments D and 4 (cited above) by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"to amend Secs. 68-258, 68-260, 68-268, 68-274, 43-518, 68-266, and 68-410, Comp. St. Supp., 1937, relating to public welfare and social security· to provide that every needy person while residing in and retaining his legal residence in the state of Nebraska shall be eligible to receive old age assistance if such person be found in the first instance to be or continues to be qualified as a recipient thereof under the laws governing the same; to prescribe the rules and regulations to be followed in the investigation of applications in the case of original applicants for old age assistance; to prescribe the method for the determination of the amount of assistance to be paid to applicants therefor and to recipients thereof on the basis of "need" as therein defined; to provide that persons domiciled in fraternal, benevolent or charitable institutions may receive assistance in like manner as other persons, if eligible therefor; to provide that the Board of Control of state institutions shall never expend more than one-eighth of the specific appropriation made to it by the Legislature for the uses and purposes of the State Assistance Fund during any one-eighth of a biennium in allocating said fund to the several counties of the state on the basis of their respective needs, whether or not there be cash on hand to the credit of said fund, except from balances remaining and unexpended after allocation of said fund shall have been made to the several counties during any one or more previous three-months period or periods of said biennium; to provide procedure for securing reimbursement from the estates of recipients of old age assistance; to provide that reasonable funeral and burial expenses for dependent children, and recipients of old age assistance and blind assistance, upon death, shall be paid by the county boards of the proper counties; to repeal said original sections; and to declare an emergency.".

Correctly Engrossed

L. B. No. 447 L. B. No. 2 L. B .No. 132

Correctly Reengrossed

L. B. No. 44.

(Signed) Craven, Chairman.

Approved by the Governor

May 6th, 1939.

To the Members of the Legislature:

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bill:

L. B. No. 362.

Respectfully submitted,

(Signed) Otho K. De Vilbiss
Secretary to the Governor

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 31. Navigation on Missouri River.

Introduced by Rossiter of Thurston, Mischke of Knox

RESOLUTION

Memorializing the Congress of the United States to promote, initiate and support legislation for the purpose of facilitating the transportation of products of Nebraska and adjacent states and the development of mining, industrial and agricultural interests by making the Missouri River navigable from its mouth to Chamberlain, South Dakota, through construction of dams and other facilities.

PREAMBLE

WHEREAS, engineers of the United States Army are constructing a dam across the Missouri river at Ft. Peck, Montana, in order to control the waters of the Missouri river below said dam, to aid navigation of said river from its mouth to the location of said dam, and

WHEREAS, the Missouri river through the efforts of United States Army engineers has been, or will shortly be, made navigable from its mouth to Sioux City, Iowa, and

WHEREAS, it is believed that a survey made of the Missouri river from Sioux City, Iowa, to Chamberlain, South Dakota, by U. S. Army engineers would show that this stretch of river can also be made navigable at reasonable cost, and

WHEREAS, the establishment of a water route for Nebraska products on the inland waterways of the United States would result in greatly lowered rates for transportation thereof, and would result in immeasurable benefits to Nebraska producers and producers of adjacent states, and

WHEREAS, the establishment of such water route would necessarily result in the elimination of bank erosion on a serious scale by the river, which bank erosion, at present, destroys good Nebraska land of the value of thousands of dollars yearly, and

WHEREAS, such water route to Chamberlain, South Dakota, would render immediately available immense deposits of manganese located near Chamberlain, South Dakota, and render the United States independent of manganese deposits in Europe, which might be cut off in case of war, and

WHEREAS, would furthermore open up immense deposits of coal and many other useful and valuable minerals found in the Missouri river valley and result, by reason of the industries which would be developed, in giving employment directly or indirectly to thousands of our people, and

WHEREAS, dams placed at intervals, by U. S. Army Engineers' survey, will result in flood control, the improvement of navigation, the furtherance of irrigation, and the production of hydro-electric power, all of which will be of great benefit to the people of Nebraska and adjacent states, and

WHEREAS, the hydro-electric power so generated would be largely used in developing the manganese and other industries located along the valley of the Missouri river and contiguous territory,

NOW THEREFORE
BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That the Congress of the United States be, and hereby is petitioned and requested to enact legislation providing for progressive construction and completion of the necessary work to complete the Missouri river for navigation, flood control, and other things above mentioned, thereby providing a water route of nine foot channel depth to Chamberlain, South Dakota, and further if deemed advisable to the best interests of the United States.

2. That this resolution be spread at large upon the Journal of this Legislature; and that the Clerk of this Legislature is hereby ordered and directed forthwith to forward a copy of this resolution, properly authenticated and suitably engrossed, to the President of the United States; to the Vice President of the United States as presiding officer of the United States Senate; to the Speaker of the House of Representatives of the United States; and to each of the United States Senators and Congressmen representing the state of Nebraska in the Congress, to the end that representatives in the government and in the Congress of the United States will be advised that this Legislature considers as imperative remedial federal legislation which will make the Missouri river navigable from its mouth to Chamberlain, South Dakota, as set forth in the preamble of this resolution.

The resolution was laid over one day.

LEGISLATIVE RESOLUTION NO. 29. Mr. Rossiter moved that the resolution be adopted.

The motion prevailed.

MOTION—To Amend

LEGISLATIVE RESOLUTION NO. 7. Mr. Miller moved that the Resolution as adopted on the Thirty-seventh Day be amended as follows:

By striking the word eighty-ninth (originally seventieth, then eightieth) and inserting in lieu thereof the word "ninetieth".

The motion prevailed and the amendment was adopted.

MOTION—To Place at Head of General File

Mr. President: I move that L. B. No. 272 be placed at the head of General File. (Signed) Reed.

The motion prevailed with 30 ayes, no nays, 13 not voting.

MOTION—To Change Position on General File

Mr. President: I move that L. B. No. 370 be replaced on General File to follow L. B. No. 515. (Signed) Hall.

The motion was lost with 13 ayes, 6 nays, 24 not voting.

GENERAL FILE

LEGISLATIVE BILL NO. 272. Standing Committee amendments as found in the Legislative Journal for the Forty-seventh Day were adopted.

Mr. Neubauer offered the following amendment, which was adopted:

Renumber the second "Sec. 2" in L. B. No. 272 to read "Sec. 3".

Referred to E and R for review.

LEGISLATIVE BILL NO. 76. Mr. Tvrdik withdrew all amendments formerly offered by himself.

Mr. Tvrdik offered the following amendment, which was adopted:

1. Amend the printed bill, page 1, by striking all of Sections 1 and 2 thereon and by inserting in lieu thereof the following:

"Section 1. All governing authorities of the state of Nebraska, and governmental subdivisions thereof, and every person acting as purchasing agent for the state of Nebraska or any governmental subdivision thereof, shall in awarding contracts for public works, require all contractors bidding on public works to file with said authority a statement that he is complying with and will continue to comply with, fair labor standards in the pursuit of his business and in the execution of the contract on which he is bidding. The governing authorities shall also require to be written into each and every contract for public works, in addition to such other provisions as are necessary and prescribed by law, a provision that in the execution of such contract, fair labor standards shall be maintained: **Provided**, that this section shall not apply to such governing authorities as prescribed in contracts for public works, provisions governing the hours of labor, rates of pay and conditions of employment.

Sec. 2. Upon showing in a public hearing by interested parties to the satisfaction of the awarding authority that any contractor bidding upon public works, and having filed the statement as required by Section 1 of this Act, has not complied with fair labor standards in the pursuit of his business or occupation, such showing shall be the basis for the disqualification of the low bid, in which case the awarding authority shall let the bid to the next lowest responsible bidder. **"Fair labor standards"** as used in this Act shall be construed to mean such a scale of wages and conditions of employment as are paid and maintained by at least fifty per cent of the contractors in the same business or field of endeavor as the contractor filing such statement."

2. Amend the printed bill, page 1, title by striking all of said title after the word "ACT" in line 2 thereof and by inserting in lieu thereof the following:

"relating to public works; to provide that the state of Nebraska and the governmental subdivisions thereof in awarding contracts for public works shall require contractors to certify that they are maintaining fair labor standards; to require fair labor standards in the performance of contracts for public works; to provide that contracts containing provisions concerning rates of pay, hours of work and conditions of employment, shall be excepted from the provisions of this Act; and to declare an emergency.".

Referred to E and R for review.

LEGISLATIVE BILL NO. 172. Mr. Gantz moved that the rules be suspended to consider amendments on L. B. No. 172.

A call of the House was ordered.

The call was raised.

The motion prevailed with 31 ayes, 4 nays, 8 not voting.

Mr. Gantz offered the following amendment, which was adopted with 29 ayes, 7 nays, 7 not voting:

Strike Section 3 as amended on April 11th, 1939, and Section 3, as originally printed, be inserted in lieu thereof, and by adding the words "at any time" after the word "repeal" in line 9, page 2, Sec. 3.

Mr. Craven moved to refer to E and R for review.

Mr. Gutoski offered a substitute motion to indefinitely postpone.

The substitute motion was lost with 11 ayes, 26 nays, 6 not voting.

The original motion to refer to E and R for review prevailed.

MOTION—To Suspend Rules for Introduction of Bills

Mr. President: I move that the rules be suspended for the introduction of a bill regarding appropriations. Brady.

The motion prevailed with 37 ayes, no nays, 6 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 519. By Committee on Appropriations.

A bill for an Act to provide for a revolving fund to supplement the State Assistance Fund of the state of Nebraska to effect the more punctual administration of the assistance laws of said state; specifically to appropriate from the general fund of the state of Nebraska the sum of four hundred thousand dollars for the uses and purposes of said revolving fund; to provide for repayment to the general fund of said state for the sum so appropriated; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 519 be read the second time now. Brady.

The motion prevailed with 32 ayes, no nays, 11 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title see Bills on First Reading)

LEGISLATIVE BILL NO. 519. Referred to Committee on Appropriations.

MOTION—To Suspend Rules and Place on General File

Mr. President: I move that the rules be suspended and that L. B. No. 519 be placed at the head of General File. Brady.

The motion prevailed with 35 ayes, 1 nay, 9 not voting.

Statement for Journal

Mr. President: Had I been present, I would have voted nay on motion to advance L. B. No. 55 on May 8th. (Signed) Doyle.

Adjournment

At 12:00 m. Mr. Von Seggern moved that the rules be suspended and that the Legislature adjourn until 8:00 a. m. Wednesday.

The motion prevailed with 31 ayes, 3 nays, 9 not voting.

Hugo F. Srb,
Clerk of the Legislature.

NINETIETH DAY

Legislative Chamber,
Lincoln, Nebraska, May 10, 1939.

The Legislature met at 8:03 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Mueller who was excused.

The Journal for the Eighty-ninth Day was approved as corrected.

Upon request by Mr. Craven, unanimous consent was granted to amend E and R report as follows:

That the report in the Journal for the Eighty-seventh day, May 5, 1939, in reference to L. B. 168, page 1020, Enrollment and Review Amendment No. IV, be amended by changing the figure "117" to "116" and inserting "(line 10 from top of page 5)"; and amend said report as to Amendment VIII by striking therefrom the figure "116" and inserting in lieu thereof the figure "115".

PETITIONS AND MEMORIALS

Mr. Brodecky introduced a petition favoring L. B. No. 74.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly Engrossed

L. B. No. 168 L. B. No. 170.

Presented to Governor for Approval

Monday, May 8, 1939 at 2:40 p. m.

L. B. No. 131	L. B. No. 460	L. B. No. 129
L. B. No. 235	L. B. No. 487	L. B. No. 130

(Signed) Craven, Chairman.

Revenue

LEGISLATIVE BILL NO. 219. Placed on General File as amended.

(Standing Committee amendments mimeographed in lieu of printing in Journal)

(Signed) Ashmore, Chairman.

Banking, Commerce and Insurance

LEGISLATIVE BILL NO. 353. Indefinitely postponed.

LEGISLATIVE BILL NO. 381. Indefinitely postponed.

LEGISLATIVE BILL NO. 281. Indefinitely postponed.

LEGISLATIVE BILL NO. 423. Indefinitely postponed.

LEGISLATIVE BILL NO. 354. Indefinitely postponed.

LEGISLATIVE BILL NO. 259. Indefinitely postponed.

LEGISLATIVE BILL NO. 406. Indefinitely postponed.

LEGISLATIVE BILL NO. 507. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 507:

1. Amend the original bill, page 2, Section 1 (the printed bill, pages 1 and 2, Section 1) by striking that part of said section commencing with the punctuation and word ", including" in lines 11 and 12 of the original bill (line 9 of the printed bill) down to and including the word and punctuation "services," in line 13 of the original bill (line 10 of the printed bill).

2. Amend the original bill, page 2, Section 2, by striking all of said Section after the word "No" in line 5 of the original bill (line 4 of the printed bill).

3. Amend the original bill, page 4, Section 4, line 8 (the printed bill, page 3, Section 4, line 7) by inserting after the word and punctuation "therewith." therein the following:

"All such contracts shall obligate each hospital party to render service to which each subscriber may be entitled under the terms and conditions of the contract issued to the subscribers.".

4. Amend the original bill, page 6 (the printed bill, pages 4 and 5) by striking all of Section 9 thereon and by inserting in lieu thereof the following:

"Sec. 9. No corporation, subject to the provisions of this Act, shall, during any one year, disburse more than twenty per centum of the aggregate amount received from subscribers during that year for acquisition and administrative expenses, except, that during the first year after the issuance of the certificate of authority, such corporation may so disburse not more than thirty per centum of such amount, and during the second year not more than twenty-five per centum.".

5. Amend the original bill, page 6, Section 10, line 8 (the printed bill, page 5, Section 10, line 6) by inserting after the preposition "of" and before the word "two" therein the following:

"not less than".

6. Amend the original bill, page 8, Section 15 (the printed bill, page 6, Section 15) by striking all of said section commencing with the word "Every" in line 6 of the original bill (line 4 of the printed bill).

7. Amend the original bill, page 1, title, lines 22 and 23 (the printed bill, page 1, title, line 14) by striking therefrom the words "except upon real estate and equipment".

LEGISLATIVE BILL NO. 313. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 313:

1. Amend the original bill, page 3, Section 1 by striking that part of said section after the syllable "tained" in line 17 of the original bill (after the word "obtained" in line 15 of the printed bill) down to and including the word "public" in line 24 of the original bill (line 20 of the printed bill) and by inserting in lieu thereof the following:

"the written approval of the Department of Insurance".

2. Amend the original bill, pages 1 and 2 (the printed bill, page 1) by restating said title so as to conform with the foregoing or any other amendments adopted to the bill.

(Signed) Hall, Chairman.

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL NO. 444. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 444:

Amend by reinserting the stricken matter in lines 5, 6, 7, and 8 in Section 1.

Amend the printed bill Section 1, Page 2, Lines 18 and 19 by striking the word "electro-therapy".

Amend the printed bill Page 2, Section 2, lines 11, 12, 13, 14, and 15 by reinserting the stricken matter.

(Signed) Miller, Chairman.

SELECT COMMITTEE REPORT

Investigation and Examination of Department of Insurance

Your special Legislative Insurance Investigation Committee appointed on the 24th day of February, 1939 to investigate the Insurance Department and Bureau of Securities makes the following report and moves for its acceptance.

It has never been the opinion of the committee that it was created with the idea of bringing in a complete and thorough investigation of the Insurance Department and Bureau of Securities or of the companies operating under them. It was our opinion that we were to inform the Legislature as to whether a thorough investigation of these problems would be advisable. We suggest legislation to correct existing evils in the laws.

It has been our sincere purpose to give you as clear and concise a report as possible regarding the examination of the Department, portraying the facts as they have been found, backed by evidence as nearly uncontestable as the findings and the time would permit. The committee has tried to set out where negligence or mismanagement exists. We have tried to be as thorough, unprejudiced, and unbiased as possible in so large an undertaking. The committee has had no desire to prosecute or persecute the Department of Insurance or any company writing insurance. Our entire attitude has been that of locating the difficulty, if any, and then applying the proper remedy.

The committee has interviewed 75 persons and has accumulated 304 pages of testimony. From these interviews and extensive data presented to us, we are forced to conclude that certain improvements could be made in the management of the Department of Insurance and Bureau of Securities. We also feel that certain of our laws are insufficient and need clarification to be fully effective as to enforcement and to bring about the necessary investigations in connection with conversions and mergers to more adequately protect the policy holders.

The committee feels that the Department of Insurance and Bureau of Securities should represent and protect the citizens as required by law. Permitting violations will cause tremendous losses to the citizens of the state.

Health and Accident Assessment Companies

The Department testified that more than one-half of the complaints were those involving health and accident assessment insurance companies. There are a number of such companies doing business in Nebraska with little or no assets. Their policy liability is very restricted. Many losses have been sustained by the citizens through the operation of this type of assessment insurance company. The operations of these companies should be prohibited in Nebraska as previously recommended by our committee. Individuals desiring to form new companies should be willing to risk some of their own moneys.

Approval of Mergers, Reinsurances and Conversions

Section 44-414, Compiled Statutes of Nebraska, 1929, charges the Department with the duty of protecting the policyholders under any reinsurance, merger or consolidation plan. The law specifically provides that independent investigations and audits should be made by the Department of Insurance of all new companies, mergers, reinsurances, and sales of insurance companies. The law provides that the expense of such investigations shall be borne by the companies being investigated. Our auditor reports in part as follows regarding the sale and merger of three Nebraska companies with a foreign company:

> "No figures or lists of assets and liabilities are on file indicating the basis of reinsurance contracts. No information relating to the disposition of the surplus and assets of such retiring company was made available to your examiner."———
>
> "Sufficient information was not available to enable a reviewer to pass on the evidence in reaching the conclusions for approval for the reinsurance contracts so that the interests of policyholders are properly protected."———
>
> "If all assets of the Nebraska companies were transferred to the foreign company, the examiner was unable to trace quite a number of specific assets to the foreign company. This would indicate that some assets were withheld and not trans-

> ferred. All liabilities of the Nebraska companies were assumed by the foreign company, yet at the end of the year the foreign company shows no surplus to policyholders and the apportioned dividends to policyholders are less than the equivalent of the Nebraska companies at the end of the prior year. There are indications that the foreign company made a substantial profit for assuming the risks of these companies. There were apparent violations of the insurance code at the time an examination of the companies was in progress. Important records were moved out of the state and this was being done without the consent of the Department or examiners."———

Violations of Section 44-302 and Section 44-314 are evident. Quoting further from the Auditor's report.

> "The President and officers of the company who acted as agents took a 30% profit as an organization or promotion expense, and therefore, would be in violation of Section 44-302. . . . Several instances are on record where officers took a 30% promotion or organization expense. If the commissions were paid in consideration for making the loan, then a violation of Section 44-314 took place, which holds that no officer or director shall benefit for negotiating any loans. The examiners report showed the company carried as cash on hand no-fund checks of a former officer. No action seems to have been taken by the Insurance Department in this matter."

The committee feels that a careful supervision and examination should be made of all companies who have participating assets belonging to the policy-holders.

Failure to Check Value of Securities Deposited

The law requires domestic insurance companies to deposit and maintain all their assets with the Insurance Department until they reach the total of $100,000.00 for the protection of the policyholders. The State Auditor finds that some of the assets so deposited have declined greatly in value. Many mortgages are listed from other states whose value has never been checked. We find mortgages deposited as good assets which are more than four years past due.

Some of the stocks and bonds as listed on the stock exchange have as little as 10% of their original value. The committee feels the law should be strictly enforced as to the requirement of depositing and maintaining the proper deposits by insurance companies.

Indiscreet Licensing of Agents

Officers of the Department of Insurance and Bureau of Securities stated before the committee that they issued licenses as a routine matter without regard to the personal qualifications or history of the applicant. Our investigation disclosed the fact that one man had a license to write insurance under his own and three different assumed names. This man has a criminal record, and the Department had full knowledge of his conviction of a felony and of his use of fictitious names in securing licenses. If the licenses are to mean anything at all, they should indicate that the persons holding such licenses are honest and reputable and have a knowledge of insurance and securities. The committee can find no moral justification for the Department's action in continuing this man's license in the face of his conviction and the fraud he perpetrated upon the Department by securing licenses under fictitious names.

The Office of Director of Insurance

The writing of insurance should be a trust. Insurance companies, acting in the capacity of a trustee, should at all times protect the interests of the policyholders.

Insurance differs from other forms of business in that its chief justification for existence is the safe handling of funds for the protection of policyholders and their beneficiaries and, as such, should be surrounded with all the safeguards possible. Companies which have for their objective the insuring of lives are performing a service. Those who furnish capital are entitled to a legitimate return on the capital they have invested: but to manipulate a company in such a manner as to result in unreasonable profits to promoters or those supplying capital at the expense of thousands of policyholders has no place in insurance.

When a concern is so weak financially or so extravagantly and carelessly managed that it collapses, the resulting penalty on the betrayed policyholder is indeed heavy. The policyholder loses the stake he has put aside for the protection of his family if he dies, or for his own security in the event of disaster.

In the preservation and development of good business practices, the state has a great interest; and our legislative policy should be constructive and give encouragement to sound practices. It takes character, courage, integrity and ability to interpret and enforce laws with justice. No law can be effective unless the Department administering the law does so with courage and fairness. There must be capable and honest management of insurance companies.

The committee feels that the head of the Department of Insurance should be approved by the Legislature as provided by law. The present Director has not been so approved.

The Director should have a six year term of office, removable only by the Governor or Legislature for cause, and should be required to report to the Governor and the Legislature every two years. He should be a man of known ability, education, and experience in all lines of insurance in which he is to supervise. The salary should be such as to attract a capable man.

Securities

The administration of the Bureau of Securities prior to March 7, 1939 was not satisfactory. On March 7, a change was made in the head of this Department, and our remarks are necessarily directed to the affairs of the Bureau previous to this date.

Your committee made extended inquiries into the business of stock and bond selling as well as into the activities of the Bureau of Securities. Many witnesses and exhibits have been examined. We have had the assistance of attorneys, departmental employees, and citizens engaged in the business of selling bonds and stocks or who are interested in that subject matter. We have had the benefits of their views as to needed legislation. The committee suggests amendments to our present laws which will place greater restraint upon the activities of selling certain securities. The protection of the public will depend entirely upon the quality of service and the willingness of the Bureau to require a rigid enforcement of the laws which would protect Nebraska investors. The new director will more effectively administer the Department.

There have been many complaints in regard to fraudulent sales of securities in the State of Nebraska. Many of these complaints have been recorded with the Department of Securities. Records show that more prosecutions should have been instituted by the Department for violations of the Blue Sky Laws and that sufficient independent investigations have not been made by the Department into the validity of these complaints. The committee finds that many of our citizens have been imposed upon by unscrupulous promoters employing fraudulent schemes to profit at the expense of the thrifty and saving. The Bureau of Securities exists for the protection of the individual from fraudulent schemes. The Bureau has issued important authorizations involving large sums of money without making proper investigations.

The law fixes responsibility and endows the Bureau of Securities with the authority to cancel or suspend licenses of brokers and securities salesmen in cases where gross misrepresentations have been made or fraud has been committed against the investors of our state.

Licenses were issued by the former Director to individuals without regard to their past history or moral qualifications. Many complaints were lodged against securities salesmen and were not all thoroughly investigated. The committee feels that the Department should exercise the most rigid care in making certain that the applicant is honest and reputable before granting him a license to sell securities.

During the course of the investigation by your committee, a securities scandal of an Omaha investment company was made public. It was shown to the committee that complaints had been made to the Department concerning the activities of this company, and that complainants had urged the Department to make its own investigation and to take whatever steps were necessary in order to protect the investing public. At that time, an officer of the Bureau admitted that the Department had authority to investigate all investment companies which they licensed. The former Director contended he had no authority to control the company under the existing law.

The head of the Department testified that he had personally spot-checked the securities of this Omaha concern. He reported them in good condition, and yet within a short time the company was in the hands of the courts. There will be a tremendous loss to the holders of these securities. The committee feels that had a careful investigation been made, the buyers of these securities might not have sustained such a loss.

It was the opinion of many of the witnesses heard before the committee that the securities law was not radically defective, but that our problem is one of proper policing and administration.

Your committee realized that applying the proper remedy to safeguard the purchases of certain securities is a difficult task. Every legislative protection seems destined to be undone by shrewd racketeers who often use the legislative shield to fashion a weapon. It is a legislative function to establish safeguards to prevent unscrupulous promoters applying their practices of fraud and deception upon the citizens of the state. The committee further realizes that it is impossible to legislate judgment or morality into the citizens. We realize that regardless of the law, unless there is a strict enforcement of the law the legislative safeguards we establish will be of little effect.

The committee feels that an adequate salary should be offered to the head of this Department in an effort to attract men of ability and understanding in the field of securities. From our witnesses and the evidence presented, we believe that the Bureau of Securities should be placed under the Banking Department as provided for in Legislative Bill No. 307. The Department of Banking is more adequately equipped to administer the affairs and duties of the Bureau than the Insurance Department. Bank examiners are available to make investigations, and their training and official activities suggest that their employment would produce both efficiency and economy. The Bureau must have adequate funds to carry out to the highest degree of efficiency in the administration of the enacted laws.

It is the committee's belief that, like other states, Nebraska needs a study of the entire insurance and securities practices. Such an investigation cannot be completed during the time the legislature is in session. The members of the committee have a multitude of other problems to consider. There has been a difference of opinion among the members of the committee as to the wisdom of continuing the investigation.

Signed this 9th day of May, 1939.

(Signed) A. L. Miller, Chairman
(Signed) John Callan
(Signed) Hugh B. Ashmore,
Vice-Chairman
(Signed) A. C. Van Diest
(Signed) W. H. Diers

Supplemental Report of A. L. Miller

TO THE MEMBERS OF THE FIFTY-THIRD SESSION OF THE NEBRASKA STATE LEGISLATURE—1939:

Since there has been a difference of opinion in the committee as to the advisability of continuing the Insurance and securities investigation, I desire, as chairman of the committee, to state frankly my views.

It is my honest opinion that a committee for investigation should be continued.

I feel that in the short time the committee has been in existence it has just scratched the surface of a very bad condition existing in the sale of unlisted securities and in certain insurance companies. The mere existence of this committee has prevented additional authorizations for the issuing of securities of doubtful value.

Continuing an interim investigating committee would give the beneficiaries of insurance a safeguard against unsound promotions, mergers and manipulations by the unscrupulous, the selfish, and the corrupt promoter. The existence of a committee would give this important watchdog of public interest, the Insurance Department, additional moral support. It seems certain that the citizens who have more than 800,000 policys representing $1,015,921,721 and who pay $51,082,000.00 a year in premiums are entitled to every protection and a thorough investigation of the Department of Insurance and the companies who are selling them insurance.

There are many good companies operating in the state who enjoy splendid reputations and are rendering a real service to that impersonal yet important group, the investing public.

There are certain bills recommended by the committee which if enacted into law, and then the law enforced, would correct some of the abuses.

The committee should have sufficient funds for investigating and reporting to the citizens and the legislature, giving a clear-cut, impartial picture of what is happening in the sale of securities and the various types of insurance.

I urge your careful, unbiased consideration as to the wisdom of continuing some committee for further investigation.

(Signed) A. L. Miller, Chairman.

Supplemental Report of Hugh B. Ashmore

TO THE MEMBERS OF THE FIFTY-THIRD SESSION OF THE NEBRASKA STATE LEGISLATURE—1939:

The last sentence of the report of the Legislative Insurance Investigating committee is as follows:

> "There has been a difference of opinion among the members of the committee as to the wisdom of continuing the investigation."

It was agreed that each member of the committee might submit a supplemental report of his conclusions, opinions and recommendations.

It was not my opinion that this committee was created with any idea of bringing in a thorough and complete investigation of the Insurance and Securities Department, or of the companies operating under them. Rather it was my opinion that we were to inform the Legislature as to whether a thorough investigation of these problems would be advisable. Even though all of the membership of this special committee had other duties to perform, we have interviewed a great many people, and have a very extensive amount of data and suggestions that have been presented to us. From these suggestions, I have been forced to conclude that certain irregularities have been taking place in our Insurance and Securities Departments.

The committee has checked into the affairs of some of the companies and found what seemed to me to be evidence that would indicate that the policyholders are not being properly safeguarded. It has been suggested to the committee on several occasions that if we made any criticism of insurance companies that we should be specific and name the offending parties. In the limited time at our disposal, this would be impossible without more thorough investigations and audits. I am of the opinion that there are many sound Nebraska companies, as well as foreign companies, writing insurance in our state. I also feel that there are some in both classes that should be carefully examined.

Something like fifty-one million dollars ($51,000,000) was spent by the people of Nebraska last year for insurance. That is a staggering sum in these times. Therefore, the subject of insurance is of tremendous importance.

The state owes its people an unusual duty to see that they get their money's worth, that their savings are protected, and that the widows and children get every cent of the "protection from poverty" that their dead husbands and fathers worked to provide for them.

The committee spent a lot of time, a little money, and listened to many witnesses. It heard about sales, mergers and consolidations of companies, approved by the Insurance Department, and later modified or upset by the courts. Lawyers were blamed for much of the trouble, but in most of the cases the lawyers started, they won in the courts for their clients and the other policyholders. There are suits pending at the present time. Apparently there are apt to be some more mergers, sales and attempts to "shuck out the surpluses and contingency reserves" for the benefit of the officers or a select few, but not for the benefit of the policyholders.

If the Legislature should decide that further investigation is advisable, the committee should be provided with adequate funds, so that complete actuarial audits can be made. It should be concerned first with documentary evidence. After having satisfied itself from such evidence, it should call in the officers of the company and give them an opportunity to be heard. If the committee still feels it is correct, then a public hearing should be held. The committee should not start on a "witch hunt" to persecute anyone or anything, but it should run down some of the things to the end. This cannot be done in a short time. This will take time and cost some money. But we collect half a million dollars in taxes every year from insurance premiums and the honest companies that pay them are entitled to protection, as well as the policyholders. I believe they would welcome a proper investigation. Many of the officers have told me so. An honest company has nothing to fear. Only those who have something to hide would oppose the interim committee.

The members of the committee have sacrificed their time. If the committee is continued some one must be willing to sacrifice some more of his time for the good of the people of Nebraska. No member of the Legislature can draw a cent of pay for serving on this committee during the next year and a half. But the work should be done and some of our members should be willing to do it.

I have presented this supplementary report because I am opposed to any attempt to "whitewash" the situation. This investigation should be continued and not be "smothered" by any influence whatsoever.

(Signed) Hugh B. Ashmore, Vice-chairman.

MOTION—To Print Reports in Journal

Mr. President: I move that the attached supplemental reports of Miller and Ashmore be received for consideration and printed in the Legislative Journal. (Signed) Miller.

The motion prevailed.

The report of the Investigation Committee was discussed.

MOTION—Disposition of Records

Mr. President: I move that all copies of testimony and other documents taken by the committee be turned over to the Clerk of the Legislature as property of the Legislature and that only members of the Legislature shall have access to these records; that no copies or memoranda shall be made from this record by the members; and that members of the Committee be permitted to keep the records until the report is disposed of. (Signed) Brady.

Substitute Motion

As a substitute motion, Mr. Doyle moved that all the testimony and other data be printed in book form and the funds for same be used out of the $2,000.00 appropriated for this insurance investigation. (Signed) Doyle.

Record vote was requested.

Voting in the affirmative, 3: Adams, E. A. Carlson Doyle

Voting in the negative, 26:

Ashmore
Brady
Brodecky
Callan
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Howard
Klaver
Lambert
Miller
Mischke
Murphy
Norman
Peterson
Reavis
Schultz
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern

Not voting, 14:

Adams, J. Jr.
Carsten
Craven
Diers
Herrick
Johnson
Johnston
Mekota
Mueller
Neubauer
Reed
Rossiter
Sorrell
Westley

The motion was lost.

Record vote was requested on Mr. Brady's motion.

Voting in the affirmative, 30:

Adams, E. A.
Adams, J. Jr.
Brady
Brodecky
Callan
Carlson
Dunn
Gantz
Garber
Gutoski
Hall
Hastings
Herrick
Howard
Johnston
Klaver
Lambert
Mischke
Neubauer
Norman
Peterson
Reavis
Rossiter
Schultz
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 1: Doyle.

Not voting, 12:

Ashmore
Carsten
Craven
Diers
Gross
Johnson
Mekota
Miller
Mueller
Murphy
Reed
Sorrell

The motion prevailed.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 31. Mr. Rossiter moved that the resolution be adopted.

The motion prevailed.

MOTION—To Make Special Order of Business

Mr. President: I move that L. B. No. 400 be made special order of business, Friday May 12, 1939 at 10:00 a. m. (Signed) Carlson.

The motion prevailed with 32 ayes, no nays, 11 not voting.

MOTION—To Make Special Order

Mr. President: I move that L. B. No. 410 and L. B. No. 431 be placed on special order after L. B. No. 400. (Signed) Thomas.

The motion prevailed with 33 ayes, no nays, 10 not voting.

MOTION—To Make Special Order

Mr. President: I move that L. B. No. 315 be placed below 431 on special order on Friday. (Signed) Ashmore.

Mr. Herrick moved to amend Mr. Ashmore's motion by adding L. B. No. 92.

Mr. Ashmore asked for a division of the question.

The Ashmore motion prevailed with 24 ayes, 4 nays, 15 not voting.

The Herrick motion was lost with 9 ayes, 1 nay, 33 not voting.

MOTION—To Place at Head of General File

Mr. President: I move that L. B. No. 413 be placed at the head of General File for immediate consideration. (Signed) Schultz.

The motion prevailed with 23 ayes, 1 nay, 19 not voting.

MOTION—To Consider L. B. No. 107

Mr. President: I move that we consider L. B. No. 107 now and then continue with the 43 selected bills. Gutoski.

Substitute Motion

Mr. President: I move that we proceed with considering bills on Select File. (Signed) Von Seggern.

The substitute motion prevailed.

SELECT FILE

LEGISLATIVE BILL NO. 74. E and R amendments as found in the Legislative Journal for the Eighty-ninth Day were adopted.

Referred to E and R for engrossment with 16 ayes, 8 nays, 19 not voting.

John Adams, Jr. presiding.

LEGISLATIVE BILL NO. 390. E and R amendments as found in the Legislative Journal for the Eighty-ninth Day were adopted.

Mr. Diers offered the following amendment which was adopted by unanimous consent:

That the stricken matter of subsection (3) of Sec. 1, Standing Committee amendments to L. B. 390 be reinserted and that the remaining subsections be renumbered.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 127. E and R amendments as found in the Legislative Journal for the Eighty-ninth Day were adopted.

Referred to E and R for engrossment.

President Johnson presiding.

LEGISLATIVE BILL NO. 389. E and R amendments as found in the Legislative Journal for the Eighty-ninth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 517. E and R amendments as found in the Legislative Journal for the Eighty-ninth Day were adopted.

Mr. Rossiter offered the following amendment which was adopted by unanimous consent:

Amend L. B. No. 517 (printed bill) page 2, Section 1, line 25, by inserting in the blank space the figures "3298.85".

Mr. Herrick offered the following amendment which was adopted by unanimous consent:

1. Amend the printed bill, page 10, Section 1, by inserting immediately after line 330 thereon the following:

"Earl Cox, North Platte	Damages to automobile precipitated into deep hole negligently permitted to remain in highway at night by employees of the Department of Roads and Irrigation.	Gasoline Tax Construction Fund	$200.00
Reta Cox,	Personal permanent injuries by reason of automobile precipitated into deep hole negligently permitted to remain in highway at night by employees of the Department of Roads and Irrigation.	Gasoline Tax Construction Fund	$2,000.00"

Referred to E and R for engrossment.

GENERAL FILE

Speaker Diers presiding.

LEGISLATIVE BILL NO. 413. Read and considered.

Mr. Von Seggern offered the following amendment, which was adopted:

Amend L. B. No. 413, Line 1, Sec. 1, by striking words "Lieutenant Governor" and inserting "Superintendent of Public Instruction" and amend title, Line 2, by striking "Lieutenant Governor" and inserting "Superintendent of Public Instruction."

Mr. Callan offered the following amendment, which was adopted:

In line 4, Section 1, after the word "Buildings", strike balance of section and amend the title to conform with said amendment.

Mr. Garber moved to indefinitely postpone.

Record vote was requested.

Voting in the affirmative, 2: Garber Mekota

Voting in the negative, 29:

Adams, E. A.	Gutoski	Reavis	Van Diest
Brady	Hall	Reed	Von Seggern

Brodecky
Carlson
Diers
Doyle
Dunn
Gantz
Gross
Hastings
Herrick
Howard
Johnson
Klaver
Neubauer
Peterson
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Westley

Not voting, 12:

Adams, J. Jr.
Ashmore
Callan
Carsten
Craven
Johnston
Lambert
Miller
Mischke
Mueller
Murphy
Norman

The motion was lost.

Referred to E and R for review.

LEGISLATIVE BILL NO. 519. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 451. Passed over.

LEGISLATIVE BILL NO. 471. Read and considered.

Mr. Thomas offered the following amendment which was adopted:

Amend by adding at the end of line 9 the following: "The commission is authorized to accept and use any funds made available to it by any agency or person for the accomplishment of the purposes of the Act."

Standing Committee amendments as found in the Legislative Journal for the Seventy-second Day were adopted.

Laid over.

Member Excused

Mr. Van Diest was excused from the session on Thursday.

Adjournment

At 1:03 p. m. Mr. Mischke moved that the rules be suspended and that the Legislature adjourn until 8:00 a. m. Thursday.

The motion prevailed with 33 ayes, 1 nay, 9 not voting.

Hugo F. Srb,
Clerk of the Legislature.

NINETY-FIRST DAY

Legislative Chamber,
Lincoln, Nebraska, May 11, 1939.

The Legislature met at 8:08 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Messrs. Brodecky, Mueller, Peterson, Reavis, Tvrdik and Van Diest who were excused.

The Journal for the Ninetieth Day was approved as corrected

COMMUNICATIONS

Mr. Diers offered a communication opposing the unemployment fund all going into individual accounts.

GENERAL FILE

Speaker Diers presiding.

LEGISLATIVE BILL NO. 471. Mr. Gantz offered the following amendment, which was adopted:

Amend Section 1 by striking the words "**three other residents**" and insert the words "**one resident from each congressional district**".

Mr. Klaver and Mr. Sorrell offered the following amendment, which was adopted:

In lines 4 and 5 of Section 1, strike the words "while away from home" and insert in lieu thereof the words; "for traveling within the state of Nebraska while".

Mr. Thomas moved to refer to E and R for review.

Mr. Mekota moved to indefinitely postpone.

Record vote was requested.

Voting in the affirmative, 15:

Ashmore
Callan
Carlson
Craven
Doyle
Dunn
Garber
Gross
Gutoski
Johnston
Lambert
Mekota
Mischke
Reed
Thornton

Voting in the negative, 17:

Adams, E. A.
Adams, J. Jr.
Diers
Gantz
Hall
Herrick
Howard
Johnson
Klaver
Murphy
Neubauer
Norman
Schultz
Sorrell
Thomas
Von Seggern
Westley

Not voting, 11:

Brady
Brodecky
Carsten
Hastings
Miller
Mueller
Peterson
Reavis
Rossiter
Tvrdik
Van Diest

The Mekota motion was lost.

Record vote was requested on the Thomas motion.

Voting in the affirmative, 17:

Adams, E. A.
Adams, J. Jr.
Carsten
Diers
Gantz
Hall
Herrick
Howard
Johnson
Klaver
Murphy
Neubauer
Norman
Schultz
Thomas
Von Seggern
Westley

Voting in the negative, 13:

Callan
Carlson
Craven
Doyle
Dunn
Garber
Gross
Gutoski
Johnston
Lambert
Mekota
Mischke
Reed

Not voting, 13:

Ashmore
Brady
Brodecky
Hastings
Miller
Mueller
Peterson
Reavis
Rossiter
Sorrell
Thornton
Tvrdik
Van Diest

The Thomas motion prevailed.

Referred to E and R for review.

Explanation of Vote

Mr. President: I am voting against this bill, (471) because it creates another bureau or commission, which, when created, will continue to grow from year to year and make further demands for money upon future Legislatures. This bill gives almost unlimited authority to a new commission to spend $50,000.00. It will be another political organization to perpetuate itself and its party in power at public expense. (Signed) Craven.

LEGISLATIVE BILLS NOS. 154, 173, 134. Passed over.

LEGISLATIVE BILL NO. 515. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Eighty-fourth Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 495. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Sixty-third Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 508. Read and considered.

Mr. Ashmore moved to indefinitely postpone.

The motion prevailed.

LEGISLATIVE BILL NO. 106. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 408. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Forty-third Day were adopted.

Mr. Thomas offered the following amendment, which was adopted:

That L. B. No. 408 be amended as follows: Printed bill, page 8, Sec. 6, after the word "Legislature" insert the following (line 20); "for the .... Legislative District".

Mr. Von Seggern offered the following amendment, which was adopted:

Amend the printed bill, page 10, Section 8, line 10 by striking the "," and the word "legislative".

Referred to E and R for review.

LEGISLATIVE BILL NO. 491. Read and considered.

Mr. Schultz offered the following amendments, which were adopted:

Amend Page 2, Section 1, Line 17, following the word "provide", by inserting the following; "correspondence instruction on the approval of the County Superintendent, or to provide".

Amend page 2, Section 1, line 37, following the word "district", by striking the period, and insert the following: "or by correspondence instruction on the approval of the County Superintendent."

Referred to E and R for review.

LEGISLATIVE BILL NO. 179. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 509. Read and considered.

Standing Committee amendments read.

MOTION—Suspend Rules for Third Reading

Mr. President: I move that the rules be suspended and that Bills on Third Reading be dispensed with on Friday. Hall.

The motion prevailed with 29 ayes, no nays, 14 not voting.

Member Excused

Mr. Mischke was excused from the session on Friday.

Recess

At 12:10 p. m. on motion by Mr. Hall the Legislature recessed until 2:30 p. m.

After Recess

The Legislature reconvened at 2:30 p. m. President Johnson presiding.

The roll was called and all members were present except Messrs. Brodecky, Mueller, Peterson, Reavis, Tvrdik and Van Diest who were excused.

GENERAL FILE

LEGISLATIVE BILL NO. 509. Laid over; retains place on file.

LEGISLATIVE BILL NO. 299. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Sixty-sixth Day were adopted.

Mr. Gantz offered the following amendment, which was adopted:

Amend Section 3 by adding thereto after the word "estate" the last word in said section, the following: ", or beyond the minority of the minor or the period of incompetency of any such incompetent".

Referred to E and R for review.

LEGISLATIVE BILL NO. 300. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Sixty-sixth Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 301. Read and considered.

Mr. Thomas moved that the bill be referred to E and R for review in its original form without amendments.

The motion prevailed.

LEGISLATIVE BILL NO. 107. Read and considered.

Mr. Brady moved that the bill be referred to E and R for review in its original form without amendments.

As a substitute, Mr. Herrick moved that the bill be indefinitely postponed.

The Herrick motion was lost with 14 ayes, 16 nays, 13 not voting.

The original motion to refer to E and R for review prevailed.

LEGISLATIVE BILL NO. 104. Read and considered.

Standing Committee amendments as mimeographed and referred to in the Legislative Journal for the Thirty-ninth Day were adopted.

Mr. Rossiter offered the following amendments which were adopted:

1. Amend the Standing Committee Amendments, mimeographed, Amendment No. 1, Section 1, page 1, lines 29, 35, 37 and 38; page 2, Section 2, line 5; page 2, Section 3, line 8; page 3, Section 4, lines 18 and 19; page 4, Section 5, line 38; Amendment No. 2, page 5, lines 11 and 12; by striking therefrom the words **"State Board of Pharmacy"** or **"State Board of Pharmacy Examiners"** wherever the same appear in any of said lines respectively and by inserting in lieu thereof the words **"Board of Examiners in Pharmacy".**

2. Amend the Standing Committee Amendments, mimeographed, page 4, Amendment 1, Section 6, line 3, by striking therefrom the conjunction "and"; and in line 4 of said Section 6, immediately after the word "repealed" therein insert the following:

"; and that Section 71-1805, Compiled Statutes of Nebraska, 1929, is hereby repealed".

3. Amend the Standing Committee amendments, mimeographed, Amendment 1, page 5, Section 6, line 11 by inserting immediately after the section symbol "71-1806" therein the following:

"and of Section 71-1805".

4. Amend the Standing Committee Amendments, mimeographed, page 5, Amendment 2, line 12, by inserting immediately after the word and punctuation "sections;" therein the following:

"to repeal Section 71-1805, Compiled Statutes of Nebraska, 1929;".

Referred to E and R for review with 17 ayes, 8 nays, 18 not voting.

LEGISLATIVE BILL NO. 372. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Fortieth Day were adopted.

Mr. Gutoski offered the following amendments, which were adopted:

1. Amend the printed bill Section 1, page 2, line 15 by striking the word "one" and insert in lieu thereof the word "five"; and on the

same line strike the word "seventy" and insert in lieu thereof the word "sixty-five".

2. In line 27 strike the word "sixty" and insert in lieu thereof the word "sixty-five" and strike the word "county" after the word "gospel" in line 28.

3. Amend the printed bill Section 6, page 4, line 8 by striking the word "seventy" and insert in lieu thereof the word "sixty-five"; and in line 16 strike the word "one" and insert in lieu thereof the word "five" and in the same line strike the word "seventy" and insert in lieu thereof th word "sixty-five".

4. Amend the printed bill Section 8, page 5, line 5 by inserting after the words "said petit" the following: "or grand". In the same line strike the word "list" that appears in said line before the word "and" and insert in lieu thereof the word "lists"; and by inserting in the same line after the words "another petit" the words "and grand".

5. Amend the printed bill Section 14, page 10, line 16 by striking the word "receiving" and insert in lieu thereof the following: "completing the revision of".

6. Amend the printed bill Section 15, page 10, line 10 by inserting after the word "purpose" and before the punctuation "." the following: "until the next list of petit jurors is selected when those names remaining in the grand jury box shall have been destroyed and a new list of eighty names selected".

7. Amend the printed bill Section 16, page 11, line 13 by striking the article "a" after the word "drawn" and insert in lieu thereof the word "as".

8. Amend the Standing Committee amendments to L. B. No. 372, Amendment No. 3 by striking the word "competence" in line 3 of said amendment and insert in lieu thereof the word "competency".

9. Amend the printed bill Section 17, page 13, line 54 by striking the word "commissioner" and insert in lieu thereof the words "presiding judge".

10. Amend the printed bill Section 18, page 14, line 9 by striking the word "one" and insert in lieu thereof the word "five" and in the same line strike the word "seventy" and insert in lieu thereof the word "sixty-five"; and in lines 24 and 25 of said Section, strike the following: "the supreme court or district courts" and insert in lieu thereof "any court".

11. Amend the printed bill Section 20, page 15, line 7 by striking the word "of" and insert in lieu thereof the word "or".

12. Amend the printed bill Section 20, page 15, line 7 by striking the word "shall" and insert in lieu thereof the word "must".

13. Amend the printed bill Section 21, page 16, line 14 by striking the words "after considering the same, if he deems advisable" after the word "who".

14. Amend the printed bill Section 21, page 16, line 20 by striking the words "if the special prosecutor shall deem advisable" after the word "jury".

15. Amend Sec. 23, page 17, line 8, by striking the following; "of this code,".

Referred to E and R for review.

Adjournment

At 5:08 p. m. Mr. Carsten moved to adjourn.

Mr. Gantz offered a substitute motion to suspend the rules and adjourn until 8:00 a. m. Friday.

The substitute motion prevailed with 30 ayes, no nays, 13 not voting.

Hugo F. Srb,
Clerk of the Legislature.

NINETY-SECOND DAY

Legislative Chamber,
Lincoln, Nebraska, May 12, 1939.

The Legislature met at 8:03 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Messrs. Brodecky, Mischke, Mueller, Murphy, Peterson, Reavis and Tvrdik who were excused.

The Journal for the Ninety-first Day was approved.

Approved by Governor

May 11th, 1939.

To the Members of the Legislature:

Gentlemen:

I have been directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bills:

L. B. No. 460
L. B. No. 487
L. B. No. 129
L. B. No. 130
L. B. No. 131

Respectfully submitted,
(Signed) Otho K. De Vilbiss
Secretary to the Governor.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 518. Placed on Select File.

LEGISLATIVE BILL NO. 172. Placed on Select File with amendment.

E and R amendment to L. B. No. 172:

III. Strike all of Enrollment and Review Amendment II, adopted April 18, 1939.

LEGISLATIVE BILL NO. 272. Placed on Select File with amendments.

E and R amendments to L. B. No. 272:

I. Amend the original bill, title, page 1, lines 5 and 8 (the printed bill, page 1, title, lines 3 and 5) by striking the word "State" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word "state".

II. Amend the original bill, pages 1 and 2, Section 1, lines 6 and 7; line 25; lines 29 and 30, and line 32 (the printed bill, pages 1 and 2, Section 1, lines 5, 20, 23 and 25) by striking the words "the Department" wherever the same appear in each of said lines respectively and by inserting in lieu thereof the words "said department".

III. Amend the original bill, page 2, Section 1, line 12 (the printed bill, page 1, Section 1, line 9) by striking therefrom the fraction "1-3" therein and by inserting in lieu thereof the word "one-third".

IV. Amend the original bill, pages 2 and 3, Section 1, line 20; page 3, Section 2, lines 3 and 10 (the printed bill, page 1, Section 1, line 16; page 2, Section 2, lines 2 and 7) by striking the word "State" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word "state".

LEGISLATIVE BILL NO. 76. Placed on Select File with amendments.

E and R amendments to L. B. No. 76:

I. Amend the General File amendments, mimeographed, May 9, 1939, Amendment 1, line 1 by striking the word "Amend" and by inserting in lieu thereof the following:

"Strike Standing Committee Amendments 1 to 3 inclusive to the bill, mimeographed, dated February 13, 1939; and amend".

II. Amend the General File amendments (cited above) page 1, Amendment 1, line 17 by striking therefrom the words "as prescribed in contracts" and by inserting in lieu thereof the words "that prescribe in the terms of their contracts".

III. Amend the General File amendments (cited above) page 1. Amendment 1, Section 2, lines 8 and 9 by inserting the punctuation "," before the word "as" in line 8 and also after the word "Act" in line 9.

(Signed) Craven, Chairman.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 32. Introduced by Committee on Appropriations and Legislative Administration.

Authorizing Committee on Appropriations Acting in conjunction with Committee on Legislative Administration to reimburse Nebraska Legislative Reference Bureau for services to be rendered this Legislature from May 11, 1939, until adjournment sine die on or about May 26, 1939.

Preamble

WHEREAS, Legislative Resolution No. 28 (see Legislative Journal, Sixty-seventh Day and Sixty-ninth Day) heretofore adopted by this Legislature to reimburse the Nebraska Legislative Reference Bureau for additional and extraordinary services to be rendered to the Fifty-third Session of said Legislature in the sum of eighteen hundred dollars, was predicated upon the present session adjourning sine die on or about May 10, 1939, and

WHEREAS, said Bureau out of its Account No. 415, its regular appropriation for salaries, wages and maintenance plus the amount made available for its uses and purposes under and by virtue of Legislative Resolutions Nos. 8 and 28, had a free balance of $1,869.50 for carrying on its work after April 1, 1939, and

WHEREAS, expenditures made by said Bureau by way of special legislative payrolls from April 1, 1939 to May 10, 1939, are itemized as follows:

APRIL, 1939

General counsel, 30 days at $25.00 per day	$750.00	
Stenographers and copy holders, 819½ hours at 50c per hour	409.75	
Legal research, 53 hours at 62½c per hour	33.12	
		$1192.87

MAY 1-10 inclusive, 1939

General counsel, 10 days at $25.00 per day	$250.00	
Stenographers and copy holders, 302½ hours at 50c per hour	151.25	
Legal research, 13 hours at 62½c per hour	8.13	
		$ 409.38
Total		$1602.25,

leaving said Bureau a free balance of $267.25 for carrying on its work after May 10, 1939, and

WHEREAS, assuming this Legislature adjourns **sine die** on or about May 26, 1939, said Bureau will require $805.00 for special payroll over said 16 day period commencing May 11, 1939 up to and including May 26, 1939, which includes necessary legislative supplies, less its free balance as of May 10, 1939 in the sum of $267.25 or an additional appropriation of $537.75, allocated as follows: For its general counsel, 16 days at $25.00 per day, $400.00; for legal research, 40 hours at 62½c per hour, $25.00; and for stenographic and copy holding assistance, 760 hours at 50c per hour, $380.00 (the estimate includes services of one copy holder and stenographer working a split shift from one o'clock P. M. until nine o'clock P. M. each day, this arrangement being necessary punctually to perform the Bureau's various services to the Legislature during the closing twenty-six day period), and

WHEREAS, the funds of said Bureau will be exhausted on or about May 15, 1939 and must be replenished in order to accelerate the date of the adjournment of this Legislature, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That it is the sense of this Legislature that the Nebraska Legislative Reference Bureau shall continue to perform the regular services to this Legislature which the law enjoins upon said Bureau to perform, until the end of the current session in the interest of Legislative efficiency and economy; and that $537.75 is a reasonable and proper amount required to permit said Bureau to carry on its work for this Legislature until the date of its adjournment **sine die** on or about May 26, 1939.

2. That the Committee on Appropriations, acting in conjunction with the Committee on Legislative Administration, upon proper voucher being presented to them signed by the Director of the Nebraska Legislative Reference Bureau, be authorized and directed to pay over to said Bureau from the contingent fund of this Legislature, forthwith the sum of $537.75 out of moneys appropriated for this session to said contingent fund in Section 1, Legislative Bill No. 8, as amended by Section 1, Legislative Bill No. 516, Fifty-third Session, Nebraska State Legislature, 1939, as now existing, or as hereafter amended.

The Resolution was laid over one day.

GENERAL FILE

LEGISLATIVE BILL NO. 451. Passed over.

LEGISLATIVE BILL NO. 154. Mr. Herrick moved to indefinitely postpone.

The motion prevailed.

LEGISLATIVE BILL NO. 173. Passed over.

LEGISLATIVE BILL NO. 509. Passed over.

LEGISLATIVE BILL NO. 89. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Fortieth Day were adopted.

Mr. Gutoski offered the following amendment, which was adopted by unanimous consent:

In Standing Committee amendment number 3, after "Sections 3," strike the figure 5 and insert in lieu thereof the figure 4.

Mr. Klaver offered the following amendments, which were adopted:

1. Amend the printed bill, page 2, Section 1, lines 25 and 26, by striking the word **"four"** and inserting in lieu thereof the word "six".

2. Amend the printed bill, page 2, Section 1, line 28, by striking the words "~~two thousand five~~ **three thousand six"** and insert in lieu thereof the following: "two thousand five".

3. Amend the printed bill, page 2, Section 1, line 29, by striking the words "~~five~~ **three"** and inserting in lieu thereof the word "five".

4. Amend the printed bill, page 2, Section 1, line 30, by striking the words **"four hundred"**.

John Adams, Jr: offered the following amendment, which was adopted:

Amend L. B. 89, page 5, Sec. 4, by reinserting the stricken matter.

John Adams Jr. moved to indefinitely postpone.

The motion was lost with 8 ayes, 14 nays, 21 not voting.

Referred to E and R for review.

SPECIAL ORDER OF BUSINESS

General File

LEGISLATIVE BILL NO. 400. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Fifty-eighth Day were adopted.

Mr. Johnson offered the following amendment, which was adopted:

Amend Sec. 2, line 3, by striking "machinery" and inserting in lieu thereof "provisions of law".

Referred to E and R for review.

Mr. Westley presiding.

LEGISLATIVE BILL NO. 410. Read and considered.

Mr. Thomas offered the following amendments, which were adopted:

1. Amend L. B. No. 410, after the word "years" appearing in the printed bill in line 15, section 1, page 1, by inserting thereafter the following words: "by those counties whose outstanding indebtedness eligible for retirement under the provisions of this act by the proceeds of such loan, is less than one-half of one percent of the assessed valuation of all the property of said county at the time of making such loan, and shall not be borrowed for a longer term than twenty years by those counties whose outstanding indebtedness eligible to be retired by the proceeds of such loan shall exceed one-half of one percent of the assessed value of all the property in said county at the time of making such loan".

2. Amend L. B. No. 410 by striking the following words in lines 2 and 3, section 2, page 2, printed bill: "a period of five years from the date of the loan, and not less than one-fifth" and inserting in lieu thereof the following: "the period for which the loan creating such indebtedness is made and not less than an equal aliquot part".

Referred to E and R for review.

LEGISLATIVE BILL NO. 431. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Sixty-third Day were adopted.

Mr. Schultz offered the following amendments, which were adopted:

1. Amend the printed bill, page 2, by inserting immediately after Section 6 thereon the following:

Sec. 7. Any city of the first class having a population of more than five thousand and less than twenty-five thousand inhabitants, city of the second class or village in the state of Nebraska, on the affirmative vote of a majority of all of the members of its local governing body, is hereby authorized and empowered to borrow money for the purpose of paying final judgments against such city or village, as the case may be, together with accrued interest thereon and to redeem outstanding warrants of the municipality, excepting from the provisions hereof warrants drawn against the fund or funds created by the annual estimate and annual appropriation bill made in the year 1938 and subsequent levy. Money so borrowed may be used for the payment of judgments or the redemption of warrants as herein provided together with accrued interest thereon, but for no other purpose whatsoever. As a means of borrowing money as herein authorized the municipality shall execute and deliver its negotiable promissory note or notes for the amount of the loan, and the amount so borrowed may draw interest at a rate not to exceed four per cent per annum payable semi-annually. The money so borrowed shall not be borrowed for a longer term than five years and shall be payable at any time in whole or in part at the election of the municipality after the date of the loan, without premium or penalty upon tender of the principal or a part thereof and interest accrued to the date of the tender, and the note or notes given therefor shall so provide. The note or notes shall also provide that all payment of interest and principal shall be endorsed on the back of the note.

Sec. 8. Any indebtedness incurred by borrowing money as authorized by Section 1 hereof shall be paid in its entirety within a period of five years from the date of the loan, and not less than one-fifth of the principal sum together with accrued interest shall be paid each year following the date of the loan until the entire amount is paid, and the note or notes given shall so provide.

Sec. 9. Any municipality before borrowing money as by this Act empowered shall, as a condition precedent to the exercise of said power, publish at least once in a legal newspaper published in or of general circulation in such city or village: (a) A statement of the total amount of unpaid final judgments against such city or village exclusive of interest and costs thereon; (b) the total amount of outstanding warrants of such city or village exclusive of interest thereon, and excluding therefrom warrants drawn against any fund or funds created by the 1938 municipal levy or subsequent levies; (c) a statement of the total indebtedness of the municipality not included in subdivisions (a) and (b) of this section and not evidenced by outstanding bonds of the city or village.

Sec. 10. Any city or village that borrows money, as by this Act authorized, shall annually provide funds for the payment and discharge of such obligation by appropriating therefor in its annual estimate and annual appropriation bill to pay and discharge such obligation within the time and as required by the terms and provisions of this Act.

Sec. 11. The power and authority of a municipality to borrow money as authorized by this Act shall terminate, cease and expire on the thirty-first day of December, 1939: **Provided,** the provisions of this

Act shall be construed as cumulative with and supplemental to existing charter powers of said municipalities on the same subject.

2. Amend the printed bill, page 2, by renumbering Section 7 thereon to comply with the foregoing amendment.

3. Redraft the title of the printed bill so that the same will include the provisions of the within amendments and all other amendments adopted to the bill.

4. Prepare proper validity clause in both title and text.

Referred to E and R for review.

LEGISLATIVE BILL NO. 315. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Fifty-fifth Day were adopted.

Referred to E and R for review.

GENERAL FILE

LEGISLATIVE BILL NO. 174. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 465. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 221. Laid over; retains place on file.

LEGISLATIVE BILL NO. 133. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Forty-third Day were adopted.

Referred to E and R for review with 14 ayes, 10 nays, 19 not voting.

MOTION—To Replace on Select File

Mr. President: I move that L. B. No. 390 be replaced on Select File for the following Specific Amendment:

1. Engross the Unanimous Consent Amendment (Diers) May 10, 1939, Legislative Journal, Ninetieth Day, so that the symbol and figures "$93,000.00" shall appear in lower case words as follows:

"ninety-three thousand dollars".

2. Amend the Standing Committee Amendments, mimeographed. April 3, 1939, Amendment 1, line 18, pursuant to directions contained in the Diers amendment (cited above) by striking the figure "3" and by restoring thereto the figure "4".

3. Strike Enrollment and Review Amendment II (Legislative Journal, Eighty-ninth Day).

(Signed) Diers

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL NO. 390. The Specific Amendment offered by Mr. Diers, above set out, was adopted by unanimous consent.

Referred to E and R for engrossment.

MOTION—To Request the Return of Bill

Mr. President: I move that L. B. No. 235 be recalled from the Governor for reconsideration. (Signed) Callan.

The motion prevailed with 27 ayes, 1 nay, 15 not voting.

Member Excused

Mr. Garber was excused to go home and remain over Monday.

Recess

At 12:09 p. m. on motion by Mr. Diers the Legislature recessed until 1:30 p. m.

After Recess

The Legislature reconvened at 1:30 p. m. President Johnson presiding.

The roll was called and all members were present except Mr. Herrick, and except Messrs. Brady, Brodecky, Mischke, Mueller, Murphy, Peterson, Reavis and Tvrdik who were excused.

GENERAL FILE

LEGISLATIVE BILL NO. 124. Read and considered.

Mr. Gutoski offered the following amendment, which was adopted by unanimous consent:

Amend L. B. 124, Section 1, Page 2, Lines 31 and 32 by striking therefrom the following: "within any county".

Referred to E and R for review.

LEGISLATIVE BILL NO. 282. Read and considered.

Mr. Gross offered the following amendments, which were adopted:

Amend Section 18, Page 6, line 2, by striking the word "covered" and inserting therefor the word "paid".

Page 6, Section 18, line 3, strike the words "once each month".

Referred to E and R for review with 16 ayes, 8 nays, 19 not voting.

MOTION—To Work on Saturday

Mr. President: I move that we work Saturday, May 13th. (Signed) Gutoski.

A call of the House was ordered.

The call was raised.

The motion prevailed with 16 ayes, 13 nays, 14 not voting.

GENERAL FILE

LEGISLATIVE BILL NO. 86. Read and considered.

Standing Committee amendments as mimeographed and referred to in Legislative Journal for the Forty-sixth Day were adopted.

Mr. Diers offered the following amendments, which were adopted:

Amend the Standing Committee amendments as follows: Amend Sec. 3, line 5, by inserting after the word "are" the following; **"unfair business practices and".**

Amend the Standing Committee amendments as follows: Strike all of Sec. 8 and insert the following; "Sec. 8. That Sections 59-510, 59-511, 59-512, 59-513, 59-514, 59-515, 59-516, 59-517, 59-518, 59-519, 59-520, 59-521 and 59-522 Comp. St. Supp., 1937 are hereby repealed.

Amend the Standing Committee amendments as follows: By striking in line 3 of title the following; "local discrimination" and inserting in lieu thereof the following; "unfair business practices".

Amend the Standing Committee amendments as follows; By inserting a "," after the word "sales" in line 4 and the words "unfair competition and unfair business practices".

Amend the title of Standing Committee amendments to agree with Sec. 8 as amended.

Mr. Johnson offered the following amendment, which was adopted:

1. Amend the Standing Committee Amendments, mimeographed, May 9, 1939, page 2 by inserting immediately after the last word and punctuation "welfare." in Section 3 thereon the following:

"It is hereby declared contrary to public policy and the policy of this Act for any merchant or merchants, individually or collectively, to directly or indirectly, advertise his product or merchandise by the giving of any free or substantially free, motion picture exhibition which competes with a legitimate motion picture theatre within a radius of twenty-five miles, except and unless said motion picture exhibition advertises a product, article or merchandise given by a manufacturer of said product, article or merchandise, or by the distributor thereof, or unless such motion picture exhibition is used in school classrooms or school auditoriums, in which case it must be solely and wholly educational.".

Mr. Diers moved to refer to E and R for review.

Mr. Thomas offered a substitute motion that the bill lay over until Monday and retain place on General File.

The substitute motion prevailed.

MOTION—To Reconsider Action

Mr. President: I move that we reconsider our action in regard to a session on Saturday. Thomas.

The motion prevailed with 27 ayes, no nays, 16 not voting.

Mr. Gutoski withdrew his motion to hold a session on Saturday.

Adjournment

At 3:36 p. m. on motion by Mr. Thomas the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

NINETY-THIRD DAY

Legislative Chamber,
Lincoln, Nebraska, May 15, 1939.

The Legislature met at 9:00 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Messrs. Garber, Mueller and Murphy who were excused.

The Journal for the Ninety-second Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

John Adams, Jr., one, favoring L. B. No. 67; Mr. Miller, as chairman of the Insurance Investigating Committee, one, commending that committee on its action in the matter and approving measures which will raise the standards of insurance in the state of Nebraska.

Communications

Letters were read from M. H. McIntyre, Secretary to the President, W. B. Bankhead, Speaker of the House of Representatives, Congressmen Carl T. Curtis and George H. Heinke, all acknowledging receipt of a copy of Legislative Resolution No. 29; also an excerpt from the Congressional Record, advising that Vice President Garner had presented a copy of said resolution to the Senate.

Invitation

An invitation was extended by the Lexington Chamber of Commerce to the members of the Legislature to attend a celebration of "Plum Creek Days" at Lexington on May 23rd, 1939.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 106. Placed on Select File.

LEGISLATIVE BILL NO. 299. Placed on Select File.

LEGISLATIVE BILL NO. 495. Placed on Select File.

LEGISLATIVE BILL NO. 300. Placed on Select File.

LEGISLATIVE BILL NO. 413. Placed on Select File with amendments.

E and R amendments to L. B. No. 413:

I. Amend the original bill, page 1, Section 1, line 2 (the printed bill, page 1, Section 1, line 1) by striking therefrom the word "ex-officio" and by inserting in lieu thereof the words "ex officio".

II. Amend the original bill, page 1, Section 1, line 5 (the printed bill, page 1, Section 1, line 4) by inserting the punctuation "." after the word "Buildings" therein.

III. Amend the original bill, page 2, (the printed bill, page 1) by striking all of Sections 2 and 3 thereon and by inserting in lieu thereof the following:

"Sec. 2. That Secs. 84-412, 84-413, 84-414 and 84-415, Comp. St. Supp., 1937, are hereby repealed.

Sec. 3. Whereas an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law.".

IV. Amend the original bill, page 1, title (the printed bill, page 1, title) by striking all of said title after the punctuation ";" in line 3 of the original bill, (line 3 of the printed bill) and by inserting in lieu thereof the following:

"to provide that the superintendent of public instruction shall be ex officio the commissioner of public lands and buildings; to provide that said superintendent of public instruction shall receive no added compensation therefor; to repeal Secs. 84-412, 84-413, 84-414 and 84-415, Comp. St. Supp., 1937; and to declare an emergency.".

V. Engross the bill so that all words designating state officers appear in both title and text in lower case.

LEGISLATIVE BILL NO. 174. Placed on Select File with amendment.

E and R amendment to L. B. No. 174:

I. Amend the original bill, page 1, title, line 2 (the printed bill, page 1, title, line 2) by inserting after the word "ACT" therein the following:

"relating to municipal corporations;".

LEGISLATIVE BILL NO. 515. Placed on Select File with amendments.

E and R amendments to L. B. No. 515:

I. Amend the original bill, page 2, Section 1 (the printed bill, page 1, Section 1) by striking that part of said section commencing with the word "Commissioner" in line 3 of the original bill (line 3 of the printed bill) down to and including the word "mentioned" in line 6 of the original bill (line 5 of the printed bill) and by inserting in lieu thereof the following:

"governor, subsequent to the first Thursday after the first Tuesday in January, 1939,".

II. Amend the original bill, pages 2 and 3, Section 1, lines 23 and 46 (the printed bill, page 2, Section 1, lines 18 and 36) by striking the words "Attorney General" wherever the same appear in each of said lines respectively and by inserting in lieu thereof **"attorney general".**

III. Amend the original bill, page 3, Section 1, line 35 (printed bill, page 2, Section 1, line 28) by striking the word "State" and by inserting in lieu thereof the word **"state".**

IV. Amend the original bill, page 3, Section 1, lines 56 and 58 (the printed bill, page 2, Section 1, lines 44 and 45) by inserting the word and punctuation **"tagged,"** after the word **"so"** and before the word **"marked"** in each of said lines respectively.

V. Amend the printed bill, page 3, Section 1, line 53 by inserting the punctuation "," after the word "measures" and before the preposition "in" therein.

VI. Amend the original bill, page 4, Section 1, line 71 (the printed bill, page 3, Section 1, line 56) by striking therefrom the words "the state" and by inserting in lieu thereof the word **"said".**

VII. Amend the printed bill, page 3, Section 1, line 61 by striking therefrom the word "thru" and by inserting in lieu thereof the word "through".

VIII. Amend the original bill, page 4, Section 1, lines 79 and 80 (the printed bill, page 3, Section 1, line 63) by striking therefrom the words "state capitol" and by inserting in lieu thereof the words **"State Capitol"**.

IX. Amend the Standing Committee Amendments, May 2, 1939, mimeographed, Amendment 2, Section 2, line 11 by inserting after the word "belongs" therein the following:

": Provided, all said motor vehicles when said lettering or legend thereon shall become illegible, shall be re-marked or relettered as herein required".

X. Amend the Standing Committee Amendments, mimeographed, (cited above) page 2, Amendment 4, line 9 by inserting after the word "number" and before the word "as" therein the following:

"or shall re-mark, reletter or renumber,".

XI. Amend the original bill, page 2, Section 1, line 7, (the printed bill, page 1, Section 1, line 6) by striking the words "state capitol" and inserting the following: **"State Capitol"** in lieu thereof.

LEGISLATIVE BILL NO. 400. Placed on Select File with amendments.

E and R amendments to L. B. No. 400:

I. Amend the original bill, page 2, Section 1, line 4 (the printed bill, page 1, Section 1, line 3) by striking therefrom "Budget Act, 1937" and by inserting in lieu thereof the following: **"Budget Act, 1937,** as amended.".

II. Amend the original bill, page 2, Section 1, line 20 (the printed bill, page 2, Section 1, line 16) by striking therefrom the preposition "of" and by inserting in lieu thereof the preposition "by".

III. Amend the original bill, page 1, title, line 5 (the printed bill, page 1, title, lines 3 and 4) by striking therefrom "County Budget Act, 1937" and by inserting in lieu thereof the following: **"County Budget Act, 1937,** as amended".

LEGISLATIVE BILL NO. 179. Placed on Select File with amendments.

E and R amendments to L. B. No. 179:

I. Amend the original bill, page 1, Section 1, line 1 (the printed bill, page 1, Section 1, line 1) by striking the second word "Section" therein and by inserting in lieu thereof the following: "Sec."; and in Section 1, line 7 of said original bill (line 6 of the printed bill) strike the first word "Section" therein and insert in lieu thereof: "Sec.".

II. Amend the original bill, page 2, Section 2, line 4 (the printed bill, page 1, Section 2, line 3) by striking therefrom the word "**Section**" therein and by inserting in lieu thereof: "**Sec.**".

III. Amend the original bill, page 1, Section 1, line 2; page 2, Section 2, line 2 and page 1, title, line 3 (the printed bill, page 1, Section 1, line 1; page 1, Section 2, line 1; page 2, Section 3, line 2; and page 1, title, line 2) by striking the word "State" therein in each of said lines respectively and by inserting in lieu thereof the word "state".

IV. Amend the original bill, page 3, Section 3, lines 15 and 22 (the printed bill, page 2, Section 3, lines 12 and 17) by inserting after the figures and punctuation "VII," in each of said lines respectively "and Article XVII,".

V. Amend the original bill, page 3, Section 3, lines 20 and 26 (the printed bill, page 2, Section 3, lines 15 and 21) by inserting after the word "Funds" in each of said lines respectively, the following:

"and providing that said amendment shall be effective on the first Thursday after the first Tuesday in January, 1941".

VI. Amend the original bill, page 1, title, line 13 (the printed bill, page 1, title, line 9) by inserting after the word "Funds" therein the following: "; and to provide for the effective date thereof"; and in line 2 of said title to the original bill (line 2 of said title in the printed bill) after the figures and punctuation "VII," therein, insert "and Article XVII,"; and in line 2 of said title to the original bill (line 2 of said title to the printed bill) strike the first word "Section" and insert in lieu thereof the abbreviation and punctuation "Sec.".

VII. Amend the original bill, page 2, Section 2, by striking lines 1, 2 and 3 (the printed bill, page 1, Section 2, lines 1 and 2) and insert the following:

"Sec. 2. That an additional section be inserted in Article XVII, Constitution of Nebraska, to be known and numbered as follows:"

LEGISLATIVE BILL NO. 327. Placed on Select File with amendments.

E and R amendments to L. B. No. 327:

I. Amend the original bill, page 1, Section 1, line 2 (the printed bill, page 1, Section 1, line 1) by striking the word "for" therein and by inserting in lieu thereof the punctuation ",".

II. Amend the original bill, page 1, Section 1, line 22 (the printed bill, page 1, Section 1, line 20) by striking the first punctuation ";" therein and by inserting in lieu thereof the following: ", ;".

III. Amend the original bill, pages 1 and 2, Section 1, lines 20, 22, 26, 30, 33, 35, 38, 40, 41, 46, 49, 52, 58, 59 and 61 (the printed bill, pages 1, 2 and 3, Section 1, lines 19, 20, 24, 28, 31, 33, 35, 36, 37, 39, 43, 46, 47, 50, 55, 57, 58 and 59) by striking the word "legislature" or **"legislature"** wherever the same may appear in each of said lines respectively and by inserting in lieu thereof the word **"Legislature"**.

IV. Amend the original bill, page 2, Section 1, line 47 (the printed bill, page 2, Section 1, line 45) by inserting the punctuation "," after the word "which" and before the word "being" therein.

V. Amend the original bill, page 2, Section 1, lines 54 and 55 (the printed bill, page 2, Section 1, line 52) by striking therefrom "section 15 of article IV of the constitution" and by inserting in lieu thereof the following: **"Sec. 15, Article IV, Constitution of Nebraska"**.

VI. Strike the Miller amendment, 1, adopted May 8, 1939; and amend the original bill, page 3 (the printed bill, page 3) by striking all of Section 2 thereon and by inserting in lieu thereof the following:

"Sec. 2. That said original Section 84-502, Compiled Statutes of Nebraska, 1929, is hereby repealed.

Sec. 3. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law."

VII. Strike the Miller amendment, 2, adopted May 8, 1939; and amend the original bill, page 1, title, line 2 (the printed bill, page 1, title, line 2) by striking all of said title after the word "ACT" therein and by inserting in lieu thereof the following: "to amend Section 84-502, Compiled Statutes of Nebraska, 1929, relating to state officers; to prescribe the duties of the secretary of state with respect to the Legislature; to repeal said original section; and to declare an emergency.".

LEGISLATIVE BILL NO. 465. Placed on Select File with amendments.

E and R amendments to L. B. No. 465:

I. Amend the original bill, page 2, Section 1, line 14 (the printed bill, page 1, Section 1, line 11) by striking therefrom the word **"further"** therein.

II. Amend the original bill, page 2, Section 1, lines 18 and 19 (the printed bill, page 1, Section 1, lines 14 and 15) by striking therefrom the following: **"Section 79-2135 of the Compiled Statutes of Nebraska, 1929"** and by inserting in lieu thereof the following: **"Sec. 79-2135, Comp. St. Supp., 1937, as now existing, or as hereafter amended"**.

LEGISLATIVE BILL NO. 491. Placed on Select File with amendments.

E and R amendments to L. B. No. 491:

I. Amend the original bill, page 2, Section 1, line 15 (the printed bill, page 1, Section 1, line 12) by striking therefrom the punctuation and word ": Provided" therein and by inserting in lieu thereof the following:

"; and provided further".

II. Amend the General File amendments, original, May 11, 1939, Amendment 1, lines 2 and 3 by striking therefrom the following:

"correspondence instruction on the approval of the County Superintendent, or to provide" and by inserting in lieu thereof the following:

"correspondence instruction on the approval of the county superintendent, or to provide"

III. Amend the General File amendments, original, May 11, 1939, Amendment 2, lines 3 and 4 by striking therefrom the words "or by correspondence instruction on the approval of the County Superintendent." and by inserting in lieu thereof the following:

"or by correspondence instruction on the approval of the county superintendent"

IV. Amend the original bill, page 3, Section 1, line 53 (the printed bill, page 2, Section 1, line 41) by striking the punctuation "." and by inserting in lieu thereof the punctuation **":"**.

V. Amend the original bill, page 3, Section 1, lines 68 and 69 (the printed bill, page 3, Section 1, line 54) by striking therefrom ": Provided, however" and by inserting in lieu thereof the following:

"; and provided further"

VI. Amend the original bill, page 3, Section 1, line 62 (the printed bill, page 2, Section 1, line 49) by striking therefrom the word and punctuation "further,".

LEGISLATIVE BILL NO. 519. Placed on Select File with amendments.

E and R amendments to L. B. No. 519:

I. Amend the original bill, page 2, Section 3, line 2 (the printed bill, page 2, Section 3, line 2) by striking therefrom ", shall, from time to time direct," and by inserting in lieu thereof the following:

"directs from time to time, shall".

II. Amend the printed bill, page 2, Section 3, line 6 by striking the word "act" and by inserting in lieu thereof the word "Act".

LEGISLATIVE BILL NO. 471. Placed on Select File with amendments.

E and R amendments to L. B. No. 471:

I. Amend the original bill, page 1, Section 1, line 1 (the printed bill, page 1, Section 1, line 1) by striking the indefinite article "an" therein.

II. Amend the original bill, page 2, Section 4, line 2 (the printed bill, page 2, Section 4, line 2) by inserting the punctuation "," after the word "effect" and before the word "from" therein.

Correctly Engrossed

L. B. No. 390	L. B. No. 389	L. B. No. 74
L. B. No. 517	L. B. No. 127	

(Signed) Craven, Chairman.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 33. **Freight Rate Discriminations**

Introduced by Miller of Kimball, Thomas of Douglas, Gantz of Box Butte, Neubauer of Harlan, Howard of McPherson.

Memorializing the Honorable Henry A. Wallace, Secretary of Agriculture of the United States, to cooperate with and assist the Nebraska State Railway Commission in securing reconsideration by the full interstate commerce commission of their decision retaining present freight rate discriminations against grain growers in western Nebraska.

Preamble

WHEREAS, proof has been presented to the Nebraska Unicameral Legislature that the levels of freight rates on shipments by rail of grain between points in western Nebraska and the home market at Omaha, Nebraska are relatively much higher than the freight rates on grain shipments for equal distances between points in neighboring grain producing states and their nearest market, and

WHEREAS, a few odious examples of such discrimination are as follows:

	Rate	Distance
"Kimball, Neb. to Omaha.......	27 cts.	442 miles
Weskan, Kan. to Kansas City..	23 "	442 "
Ottman, Neb. to Omaha.......	27 "	382 "
Modoc, Kan. to Kansas City....	22 "	420 "
Sidney, Neb. to Omaha........	27 "	407 "
Deerfield, Kan. to Kansas City.	23 "	403 "
Haigler, Neb. to Omaha.......	24 "	356 "
Brewster, Kan. to Omaha......	22 "	365 " "

and

WHEREAS, the Nebraska State Railway Commission has complained to the Interstate Commerce Commission on two occasions, setting out the facts and demanding relief, and

WHEREAS, such complaints have been supplemented by petitions and letters from farmers' cooperative associations in such territory, and

WHEREAS, relief has been denied in each case by the Interstate Commerce Commission, and

WHEREAS, the Nebraska State Railway Commission has now made a final plea for an opportunity to be heard in oral argument before the Interstate Commerce Commission, sitting en banc, and

WHEREAS, a conservative estimate of the minimum direct loss to the Nebraska producers in such territory is two hundred thousand dollars per year, and

WHEREAS, under the provisions of Section 201 (a) of the Agricultural Adjustment Act, the Secretary of Agriculture is authorized to make complaint and to cooperate with and assist cooperative associations of farmers making complaint to the Interstate Commerce Commission with respect to rates, charges, tariffs and practices relating to the transportation of farm products, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That the Nebraska Unicameral Legislature respectfully requests the Honorable Henry A. Wallace, Secretary of Agriculture of the United States, to cooperate with and assist the Nebraska State Railway Commission, acting on behalf of the cooperative associations of farmers, in securing reconsideration by the Interstate Commerce Commission, sitting en banc, of the question presented in the preamble of this resolution and to cooperate and assist in every way possible to bring about a proper and fair adjustment of the freight rates on the shipment of grain from western Nebraska to Omaha, Nebraska.

2. That this resolution be spread at large upon the Journal of this Legislature, and that the Clerk of this Legislature is hereby ordered and directed forthwith to forward a copy of this resolution, properly authenticated and suitably engrossed to the Honorable Henry A. Wallace, Secretary of Agriculture of the United States, to the President of the United States, to the Vice President of the United States as presiding officer of the United States Senate, to the Speaker of the House of Representatives of the United States; to the Interstate Commerce Commission of the United States; and to each of the United States Senators and Congressmen representing the state of Nebraska in the Congress to the end that representatives in the government and in the congress of the United States will be advised that this Legislature considers as imperative the reconsideration by the Interstate Commerce Commission, sitting en banc, of their decision retaining present freight rate discriminations against grain growers in western Nebraska, as set forth in the preamble of this resolution.

MOTION—To Adopt Resolution

Mr. President: I move that the rules be suspended and that Legislative Resolution No. 33 be adopted. Miller.

The motion prevailed with 35 ayes, 1 nay, 7 not voting.

The resolution was adopted.

MOTION—To Adopt Resolution.

Mr. President: I move that Legislative Resolution No. 32, offered on the ninety-second day be adopted. Brady.

The motion prevailed.

MOTION—To Place on Select File

Mr. President: I move that L. B. No. 447 be recommitted to Select File for the following specific amendments:

1. Amend the bill, Final Form on Third Reading, page 15, Section 5, line 1, by striking therefrom "(d)" therein and by inserting in lieu thereof the following: "(c), (d) and (e)".

2. Amend the bill (cited above) page 15, Section 5, line 3, by inserting immediately after the section symbol "48-707." therein the following: "(c) FUTURE RATES BASED ON BENFIT EXPERIENCE.—The commissioner shall, for the year 1940 and for each calendar year thereafter, determine the contribution rate applicable to each employer on the basis of his actual experience in the payment of contributions on his own behalf and with respect to benefits charged against his

separate reserve account, in accordance with the following requirements: (1) No employer's rate shall be less than 2.7 per centum unless benefits have been payable from his account throughout the preceding calendar year. (2) Each employer's rate for the twelve months commencing January 1 of any calendar year shall be determined on the basis of the record of his reserve account up to the beginning of such calendar year **except as provided in subsection (e) of this section.** (i) If, at the beginning of such calendar year, the total of all his contributions, paid on his own behalf and credited to such account for all past years in accordance with the provisions of this section, exceeds the total benefits charged to such account for all such years by at least five times the largest annual total amount of benefits charged against such account within any one of the three preceding calendar years, and, (ii) if at the beginning of such calendar year his said reserve account based upon his own contributions amounts to 7½ **seven and one-half** per centum, or more, of his pay roll for the last calendar year his contributions shall be only in such a per centum, not exceeding 2.7 per centum, as the commissioner finds necessary to maintain such reserve account at 7½ **seven and one-half** per centum of his annual pay roll during the ensuing calendar year. (3) Any employer may at any time make voluntary contributions, additional to the contributions required under this Act, to the fund to be credited to his account. (4) As used in this section the term "annual pay roll" means the total amount of wages payable by an employer (regardless of the time of payment) for employment during a calendar year.".

3. Amend the bill (cited above) page 16, Section 5, line 56, by inserting immediately after the word and punctuation "account." the following: "(e) POOLED ACCOUNT.—The commissioner shall maintain within the fund a pooled account, to which shall be credited (1) all realized earnings and gains on investments of the fund (2) any balance remaining in the reserve account of an employer as provided in subsection (d) (3) of this section, and to which shall be charged all losses on investment of the fund. **(3) Notwithstanding any provision of section 48-707 (d) (1) or of section 48-707 (c), whenever the amount in the pooled account, excluding all resources or benefits owing but not paid as of the first day of any calendar quarter, is less than one hundred thousand dollars, the commissioner shall declare that an emergency exists, and for the six months thereafter there shall be credited to said pooled account from each employer's contribution, an amount equal to one-half of one per cent of the wages payable by each employer with respect to employment, and such sums to be figured upon the quarterly reports or returns made by or due from him for those quarters ending within such six month period; and in such event no employer's contribution rate shall be less than one-half of one per cent of the wages payable with respect to his employment in such**

quarters regardless of the contribution rate set by the commissioner under the terms of section 48-707 (c); Benefits shall be charged against the pooled account only if and to the extent that an employer's reserve account does not equal the maximum amount of benefits then due and chargeable against such account as provided in this Act. All moneys in the pooled account shall be mingled and undivided. To the extent that moneys in the pooled account are sufficient therefor, the commissioner shall supplement any reduced benefits payable pursuant to subsection (d) of this section or any benefits due but not payable because of the complete exhaustion of an employer's reserve account, by the amount necessary to pay to all individuals to whom reduced benefits are so payable, or to whom benefits are so due but not payable, with respect to any weeks pursuant to that subsection, aggregate benefits so far as practicable, equal to the same proportion of the maximum benefits that would otherwise be due to each such individual with respect to such week. Benefits paid or supplemented from the fund's pooled account shall be charged against the recipient's wages payable for employment by employers in accordance with the provisions of ~~Section 3 of this Act~~ **Sec. 48-703, Comp. St. Supp., 1937, as amended by Section 2 of this Act.**

4. Amend the bill (cited above) page 28, Section 16, line 2, by striking therefrom "(d)" therein and by inserting in lieu thereof the following: "(c), (d) and (e)".

5. Amend the bill (cited above) page 1, title, line 3, by striking therefrom "(d)" therein and by inserting in lieu thereof the following: "(c), (d) and (e)".

6. Amend the bill (cited above) page 1, title, line 15 by inserting after the syllable and punctuation "age;" the following: "to provide for crediting a portion of contributions to the pooled account under certain circumstances;".

(Signed) Gross.

MOTION—To Defer Action

Mr. President: I move that action on said motion be deferred until tomorrow and that L. B. No. 447 and L. B. No. 44 on Third Reading File be laid over until tomorrow. Dunn.

The motion prevailed unanimously.

BILLS ON THIRD READING

LEGISLATIVE BILL NO. 447. Passed over.

LEGISLATIVE BILL NO. 44. Passed over.

LEGISLATIVE BILL NO. 132. Passed over.

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 168. (With emergency clause)

A bill for an Act to amend Sec. 70-712, Comp. St. Supp., 1937; to amend Subsection 2, Sec. 70-701, Comp. St. Supp., 1937, relating to public power districts and public power and irrigation districts; authorizing such districts to sell electric power plants, generating plants and distribution systems, or parts thereof, to other public corporations and to cities and villages; to permit cities and villages to require public power districts and public power and irrigation districts to sell electric distribution systems, or parts thereof; providing methods and procedure therefor, including the determination of value thereof; to provide that when any such district shall purchase or acquire the property of an existing privately owned public utility furnishing electrical energy for use within the state of Nebraska, such purchase shall be upon the condition that such district shall annually pay out of its revenues to the state of Nebraska, county, city, village and school district in which such public utility property is located, in lieu of taxes, a sum equal to the amount which said state, county, city, village and school district received from taxation including occupation taxes, from such property during the year immediately preceding the purchase of such property by such power district; to provide that when any such district shall purchase or acquire from a person, firm or corporation, other than a privately owned utility, any real property used or useful for the purposes for which said district shall have been created, such district shall likewise pay annually out of its revenues to the state of Nebraska and to its governmental subdivisions, as aforesaid, a sum equal to the amount which said state and its governmental subdivisions received by way of taxation during the year immediately preceding the purchase or acquisition of said real property, or such sum in any year subsequent to said purchase or acquisition as the county board, sitting as a board of equalization, shall determine justice and equity require; providing that the directors of such district shall not be personally liable for the making of such payments; to provide for the collection and distribution by the tax collecting officers of the state, of said money to be paid in lieu of taxes by said districts; to exempt rural electric transmission, distribution and service lines, substations, and easements therefor from the provisions of this Act; to define the term "municipality" with respect to the election of successors to the board of directors in any such districts; to provide a validity clause; to repeal said original section; to repeal said original subsection; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency cause attached?' "

Voting in the affirmative, 39:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 1:

Johnson

Not voting, 3:

Garber
Mueller
Murphy

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Explanation of Vote

Mr. President: I vote "no" to L. B. No. 168 for the reason that I believe it unconstitutional and not good public policy to enact legislation of this kind. (Signed) Johnson.

LEGISLATIVE BILL NO. 170. (With emergency clause)

A bill for an Act to amend Secs. 70-713 and 70-714, Comp. St. Supp., 1937, relating to public power districts and public power and irrigation districts; to prescribe the terms and conditions under which such districts may be permitted or allowed to operate generating plants, distribution systems or other property of existing utilities furnishing electrical energy for the use of Nebraska cities or villages or their inhabitants, if and when such districts shall have leased, purchased or acquired said plants, systems or property; to prescribe the manner of making and the terms and conditions of franchises and contracts, other than franchises, that such districts are empowered to make with said cities or villages; to provide a validity clause; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 3:

Garber
Mueller
Murphy

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 2. (With emergency clause)

A bill for an Act to amend Secs. 75-223, 75-224 and 75-226, Comp. St. Supp., 1937, relating to the transportation of passengers and property by motor carriers in intrastate commerce upon the public highways of the state of Nebraska; to define the term "motor vehicle" as used in connection therewith; to prescribe the several types of transportation of passengers or property by motor vehicle or by motor carriers for hire or compensation engaged in intrastate commerce to which the provisions of this Act shall not apply; to fix the amount of application fees to be paid for the issuance of certificates or permits; to provide the amount of annual fee to be paid for each motor vehicle operated thereunder; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

A call of the House was ordered.

The call was raised.

Voting in the affirmative, 31:

Adams, E. A.
Adams, J. Jr.
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Dunn
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Neubauer
Norman
Reavis
Reed
Rossiter
Thomas
Thornton
Tvrdik
Westley

Voting in the negative, 7:

Brady
Doyle
Gantz
Peterson
Schultz
Van Diest
Von Seggern

Not voting, 5:

Ashmore
Garber
Mueller
Murphy
Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Explanation of Vote

Mr. President: Had I been present I would have voted aye on L. B. No. 2. (Signed) Sorrell.

MOTION—To Place on Select File

Mr. President: I move that Legislative Bill No. 390 be recommitted to Select File for the following specific amendments:

1. Amend the standing committee amendments, April 3, 1939, mimeographed, page 1, amendment 1, Section 1, lines 8 to 11 inclusive, by striking all of subsections (2) and (3) therein, together with all amendments heretofore adopted to said subsections (2) and (3) and by inserting in lieu thereof the following:

"(2) For child welfare services and for crippled children services, the sum of one hundred forty-three thousand dollars from said fund;".

2. Amend the standing committee amendments (cited above) together with all other amendments previously adopted to said bill, so

that said bill will be engrossed to correctly renumber the remaining subsections in said Section 1 and all references to subsections in said Section 1 to comply with the foregoing amendment.

(Signed) Diers.

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL NO. 86. Mr. Diers moved to refer to E and R for review.

Mr. Herrick moved to indefinitely postpone.

The Herrick motion was lost with 15 ayes, 18 nays, 10 not voting.

Mr. Doyle moved that the Legislature reconsider its action on the Johnson amendment adopted on the ninety-second day.

The motion prevailed with 26 ayes, 6 nays, 11 not voting.

The Johnson amendment was reconsidered, vote was taken thereon and the amendment was lost with no ayes, 19 nays, 24 not voting.

Vote was taken on Mr. Diers' motion to refer to E and R for review.

Record vote was requested.

A call of the House was ordered.

The call was raised.

Voting in the affirmative, 19:

Adams, E. A.
Adams, J. Jr.
Brodecky
Craven
Diers
Doyle
Dunn
Gutoski
Hall
Johnson
Klaver
Norman
Peterson
Reavis
Reed
Sorrell
Thomas
Tvrdik
Westley

Voting in the negative, 20:

Ashmore
Brady
Callan
Carlson
Carsten
Gantz
Gross
Hastings
Herrick
Howard
Johnston
Lambert
Mekota
Miller
Mischke
Rossiter
Schultz
Thornton
Van Diest
Von Seggern

Not voting, 4:

Garber
Mueller
Murphy
Neubauer

The motion was lost.

SELECT FILE

LEGISLATIVE BILL NO. 519. E and R amendments as found in this day's Journal were adopted.

Referred to E and R for engrossment.

MOTION—To Place at Head of General File.

Mr. President I move that L. B. No. 331 and L. B. No. 307 be placed at the head of General File. Brady.

The motion prevailed with 29 ayes, no nays, 14 not voting.

Adjournment

At 12:25 p. m. Mr. Howard moved that the rules be suspended and the Legislature adjourn until 8:00 a. m. Tuesday.

The motion prevailed with 32 ayes, 2 nays, 9 not voting.

Hugo F. Srb,
Clerk of the Legislature.

NINETY-FOURTH DAY

Legislative Chamber,
Lincoln, Nebraska, May 16, 1939.

The Legislature met at 8:00 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Messrs. Mueller and Murphy who were excused.

The Journal for the Ninety-third Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Garber, one, favoring L. B. No. 12; all members, one, opposing L. B. No. 12.

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL NO. 449. Indefinitely postponed.

LEGISLATIVE BILL NO. 502. Indefinitely postponed.

LEGISLATIVE BILL NO. 501. Indefinitely postponed.

LEGISLATIVE BILL NO. 511. Indefinitely postponed.

LEGISLATIVE BILL NO. 512. Indefinitely postponed.

LEGISLATIVE BILL NO. 513. Indefinitely postponed.

LEGISLATIVE BILL NO. 514. Indefinitely postponed.

LEGISLATIVE BILL NO. 510. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 510:

1. Amend the original bill, page 1, caption "Introduced by" (the printed bill, page 1, caption "Introduced by") by striking from said caption the words "The Legislative Insurance Investigation Committee" and by inserting in lieu thereof the following:

"A. L. Miller of Kimball, John Callan of Gage, A. C. Van Diest of Loup, Hugh Ashmore of Hayes and W. H. Diers of York".

LEGISLATIVE BILL NO. 505. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 505:

1. Amend the original bill, page 1, caption, "Introduced by" (the printed bill, page 1, caption "Introduced by") by striking from said caption the words "The Legislative Insurance Investigation Committee" and by inserting in lieu thereof the following:

"A. L. Miller of Kimball, John Callan of Gage, A. C. Van Diest of Loup, Hugh Ashmore of Hayes and W. H. Diers of York".

LEGISLATIVE BILL NO. 504. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 504:

1. Amend the original bill, page 3, Section 1, line 34 (the printed bill, page 2, Section 1, line 28) by inserting immediately after the figures and punctuation "1929." therein the following:

"Policies of such burial associations shall conform to all of the requirements set forth in Section 44-602, Compiled Statutes of Nebraska, 1929, except subsection 13 therein.

2. Amend the original bill, page 1, caption "Introduced by" (the printed bill, page 1, caption "Introduced by") by striking therefrom the words "The Legislative Insurance Investigation Committee" and by inserting in lieu thereof the following:

"A. L. Miller of Kimball, John Callan of Gage, A. C. Van Diest of Loup, Hugh Ashmore of Hayes and W. H. Diers of York"

3. Amend the original bill, page 1, title, line 19 (the printed bill, page 1, title, line 12) by inserting after the word and punctuation "value;" the following:

"to prescribe the requirements that shall be set forth in policies issued by said associations;" .

LEGISLATIVE BILL NO. 503. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 503:

1. Amend the original bill, page 1, caption "Introduced by" (the printed bill, page 1, caption "Introduced by") by striking from said caption the words "The Legislative Insurance Investigation" and by inserting in lieu thereof the following:

"A. L. Miller of Kimball, John Callan of Gage, A. C. Van Diest of Loup, Hugh Ashmore of Hayes and W. H. Diers of York".

LEGISLATIVE BILL NO. 500. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 500:

1. Amend the original bill, page 1, caption "Introduced by" (the printed bill, page 1, caption "Introduced by") by striking from said caption the words "The Legislative Insurance Investigation Committee" and by inserting in lieu thereof the following:

"A. L. Miller of Kimball, John Callan of Gage, A. C. Van Diest of Loup, Hugh Ashmore of Hayes and W. H. Diers of York."

(Signed) Hall, Chairman.

Enrollment and Review

LEGISLATIVE BILL NO. 107. Placed on Select File.

LEGISLATIVE BILL NO. 104. Placed on Select File with amendments.

E and R amendments to L. B. No. 104:

I. Amend the standing committee amendments, February 25, 1939, mimeographed, page 2, Section 2, line 7 by striking therefrom the word "couse" and by inserting in lieu thereof the word "course"; and on pages 2 and 3, Section 4, lines 8 and 14, strike "(75)" wherever the same appears in each of said lines respectively.

II. Amend the bill (cited above) page 3, Section 4, lines 9, 10 and 13, by striking "(60)" wherever the same appears in each of said lines respectively.

III. Amend the bill (cited above) page 3, Section 4, line 17 by inserting after the word "Examiners" and before the word "it" therein the conjunction "if".

IV. Amend the bill (cited above) page 4, Section 5, line 32, by striking therefrom punctuation and word "; provided" therein and by inserting in lieu thereof the following: ": **Provided,**"

LEGISLATIVE BILL NO. 315. Placed on Select File with amendments.

E and R amendments to L. B. No. 315:

I. Amend the original bill, page 1, Section 1, line 2 (the printed bill, page 1, Section 1, line 1) by inserting the punctuation "," after the figures "1937" therein.

II. Amend the original bill, page 2, Section 1, line 13 (the printed bill, page 1, Section 1, line 11) by inserting the conjunction "**and**" before the word "provided" therein.

III. Amend the original bill, page 3, Section 1, line 61 (the printed bill, page 2, Section 1, line 48) by striking therefrom the word "to-with" and by inserting in lieu thereof the word "to-wit".

LEGISLATIVE BILL NO. 410. Placed on Select File with amendments.

E and R amendments to L. B. No. 410:

I. Amend the general file amendments, original, May 12, 1939, amendment 1, line 5, by striking therefrom the word "act" and by inserting in lieu thereof the word "Act".

II. Amend the general file amendment (cited above) lines 6 and 11, by striking the word "percent" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the words "per cent".

III. Amend the original bill, page 1, Section 1, line 1 (the printed bill, page 1, Section 1, line 1) by striking therefrom the word "State" therein and by inserting in lieu thereof the word "state".

IV. Amend the original bill, page 2, Section 1, line 10 (the printed bill, page 1, Section 1, line 7) by striking therefrom the word "levy" and by inserting in lieu thereof the word "levies".

V. Amend the original bill, page 2, Section 1, line 18 (the printed bill, page 1, Section 1, line 14) by striking therefrom the figure and symbol "3%" and by inserting in lieu thereof the words "three per cent".

VI. Amend the original bill, pages 2 and 3, Section 3, line 2; Section 4, lines 2 and 7 (the printed bill, page 2, Section 3, line 1; Section 4, lines 1 and 5) by striking the word "act" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word "Act".

VII. Amend the original bill, page 2, Section 3, line 4 (the printed bill, page 2, Section 3, line 3) by inserting the word "legal" after the indefinite article "a" and before the word "newspaper" therein.

VIII. Amend the original bill, page 3, Section 5, line 3 (the printed bill, page 2, Section 5, line 2) by striking the figure and abbreviation "31st" therein and by inserting in lieu thereof the word "thirty-first".

IX. Amend the original bill, page 3, Section 6, line 2 (the printed bill, page 2, Section 6, line 2) by inserting the punctuation "," after the word "effect" and before the preposition "from" therein.

X. Amend the original bill, page 1, title, line 10 (the printed bill, page 1, title, line 6) by striking the conjunction "and" before the last word "to" therein.

LEGISLATIVE BILL NO. 124. Placed on Select File with amendments.

E and R amendments to L. B. No. 124:

I. Amend the original bill, page 3, Section 2, line 2, (the printed bill, page 2, Section 2, line 1) by inserting the word "hereby" after the word "is" and before the word "repealed".

LEGISLATIVE BILL NO. 282. Placed on Select File with amendments.

E and R amendments to L. B. No. 282:

I. Amend the original bill, page 2, Section 1, line 1 (the printed bill, page 1, Section 1, line 1) by striking therefrom the word "Board" therein and by inserting in lieu thereof the word "board"; and wherever the word "Board" stands alone throughout the bill, strike said word "Board" and insert in each instance the word "board".

II. Amend the original bill, page 2, Section 1, line 2 (the printed bill, page 1, Section 1, line 2) by striking the punctuation "." therein and by inserting in lieu thereof the following: ", sometimes hereinafter referred to as **board.**".

III. Amend the original bill, page 1, Section 1, line 4 (the printed bill, page 1, Section 1, line 3) by striking the word "Governor" therein and by inserting in lieu thereof the word "governor"; and wherever said word "Governor" appears throughout said bill, strike said word "Governor" and insert in lieu thereof the word "governor".

IV. Amend the original bill, page 2, Section 1, line 3 (the printed bill, page 1, Section 1, line 3) by striking therefrom "(5)" therein; and throughout Sections 1, 2, 3, 4 and all other sections in said bill, strike all arabic numerals in parenthesis.

V. Amend the original bill, page 2, Section 1, line 14 (the printed bill, page 1, Section 1, line 11) by striking therefrom the word "State" therein and by inserting in lieu thereof the word "state"; and also strike the word "State" wherever the same appears throughout the bill immediately preceding the phrase "of Nebraska" in each instance.

VI. Amend the original bill, page 3, Section 3, line 3 (the printed bill, page 2, Section 3, line 2) by striking therefrom the word "act" and by inserting in lieu thereof the word "Act"; and also in Sections 6, 10, 12, 13, 14, 19, 20, 21 and in all other sections throughout the bill, where the word "act" means "this bill" strike said word "act" and insert in lieu thereof the word "Act" in each instance.

VII. Amend the original bill, page 3, Section 3, line 4 (the printed bill, page 2, Section 3, line 3) by inserting after the word "some" and before the word "newspaper" therein the word "legal"; and in line 5 of said section in the original bill, (line 4 of the printed bill) also insert the word "legal" after the word "many" and before the word "newspaper".

VIII. Amend the original bill, page 3, Section 3, line 7 (the printed bill, page 2, Section 3, line 5) by inserting after the word "publication" and before the word "shall" therein the words "or such posting".

IX. Amend the original bill, page 3, Section 4, line 2 (the printed bill, page 2, Section 4, line 2) by striking the word "Capital" therein and by inserting in lieu thereof the word "Capitol".

X. Amend the original bill, page 3, Section 4, line 5 (the printed bill, page 2, Section 4, line 4) by striking therefrom the punctuation and word ", provided" therein and by inserting in lieu thereof the following: ": **Provided,**".

XI. Amend the original bill, page 3, Section 4, lines 7 and 8 (the printed bill, page 2, Section 4, line 6) by striking therefrom the punctuation and words: ", provided further" and by inserting in lieu thereof the following: "; and provided further,".

XII. Amend the original bill, page 3, Section 4, line 9 (the printed bill, page 2, Section 4, line 7) by striking therefrom "President's" therein and by inserting in lieu thereof the word "president's".

XIII. Amend the original bill, page 3, Section 4, line 12 (the printed bill, page 2, Section 4, line 9) by striking therefrom "($3.00)" therein; and throughout the bill wherever the same appears strike the dollar sign and arabic numerals, together with the parenthesis surrounding them.

XIV. Amend the original bill, page 3, Section 4, line 14 (the printed bill, page 2, Section 4, line 11) by striking therefrom "(5c)" therein; and throughout the bill, strike all reference to cents in arabic numerals or abbreviations together with the parenthesis surrounding them.

XV. Amend the original bill, page 3, Section 4, line 15 (the printed bill, page 2, Section 4, line 12) by inserting after the word "railroad" and before the word "fare" the words "or bus".

XVI. Amend the original bill, page 3, Section 4, lines 18 and 19 (the printed bill, page 2, Section 4, line 15) by striking therefrom the words "President" and "Secretary" therein and by inserting in lieu thereof the words "president" and "secretary"; and do likewise wherever each of said words appear throughout the bill when engrossing it.

XVII. Amend the original bill, page 4, Section 5, line 5 (the printed bill, page 2, Section 5, line 4) by striking therefrom the words "Vice President" and by inserting in lieu thereof the words "vice president"; and likewise throughout said bill strike the words "Vice President" and insert in lieu thereof the words "vice president" wherever the same appear.

XVIII. Amend the original bill, page 4, Section 6, line 1 (the printed bill, page 3, Section 6, line 1) by striking the words "Executive" therein and by inserting in lieu thereof the word "executive"; and engross the word "Executive" wherever the same appears in other sections of said bill, in lower case.

XIX. Amend the original bill, page 5, Section 6, line 20 (the printed bill, page 3, Section 6, line 15) by striking the words "Secretary of State" therein and by inserting in lieu thereof the words "secretary or state"; and throughout the bill engross the words "Secretary of State" in lower case wherever the same appear.

XX. Amend the original bill, page 5, Section 7, lines 2 and 3 (the printed bill, page 3, Section 7, line 2) by striking therefrom the words "State Veterinarian" and by inserting in lieu thereof the words "state veterinarian"; and likewise engross the words "State Veterinarian" wherever the same appear throughout the bill in lower case.

XXI. Amend the original bill, page 6, Section 9, line 18 (the printed bill, page 4, Section 9, line 14) by inserting the word "Nebraska" before the word "Livestock" therein; and make the same amendment on page 7, Section 12, line 7 of the original bill (page 5, Section 12, line 6 of the printed bill).

XXII. Amend the original bill, page 8, Section 12, line 14 (the printed bill, page 5, Section 12, line 10) by striking therefrom the punctuation and words ". Provided further" and by inserting in lieu thereof the following:

": **Provided**" .

XXIII. Amend the original bill, page 8, Section 14, line 8 (the printed bill, page 5, Section 14, line 6) by inserting the indefinite article "a" before the word "justice" therein.

XXIV. Amend the original bill, page 9, Section 17 lines 8 and 10 (the printed bill, page 6, Section 17, lines 6, 7 and 8) by engrossing the words "State Auditor" "State Treasurer" and "State Treasury" wherever the same appear in each of said lines respectively, and also throughout the bill, in lower case.

XXV. Amend the original bill, page 10, Section 18, line 8 (the printed bill, page 6, Section 18, line 6) by inserting after the word "Board" the following:

", as the Legislature, by specific appropriation, shall provide".

XXVI. Amend the original bill, page 10, Section 19, line 3 (the printed bill, page 6, Section 19, line 2) by inserting immediately after the word "Livestock" the word "Sanitary".

XXVII. Amend the original bill, page 1, title, line 7 (the printed bill, page 1, title, line 5) by inserting immediately after the word and punctuation "animals;" the following:

"to provide validity and saving clauses; to repeal all acts and parts of acts inconsistent therewith;".

LEGISLATIVE BILL NO. 89. Placed on Select File with amendments.

E and R amendments to L. B. No. 89:

I. Amend the original bill, pages 7 and 8, (the printed bill, page 5) by striking all of Section 4 thereon by reason of the first John Adams, Jr. amendment, May 12, 1939, restoring all stricken matter in said section, said section now being identical with the original statute section.

II. Amend the original bill, page 3, Section 5, lines 4, 5 and 6 (the printed bill, page 5, Section 5, lines 3 and 4) by striking therefrom the following:

"that said original Section 26-909, Compiled Statutes of Nebraska, 1929, is hereby repealed;".

III. Amend the standing committee amendments, February 27, 1939, mimeographed, page 2, amendment 6, lines 6 and 7, by striking therefrom the following:

"; to amend Section 26-909, Compiled Statutes of Nebraska, 1929".

IV. Amend the standing committee amendments, original, page 1, amendment 1, line 5, by inserting the punctuation "." after the word "both" therein.

V. Amend the standing committee amendments, February 27, 1939, mimeographed, amendment 2, Section 4, line 3, by striking therefrom "200,000" therein and by inserting in lieu thereof the words "two hundred thousand"

VI. Amend the standing committee amendments, (cited above) page 3, amendment 6, line 34 (last line) by striking therefrom the word "saving" therein and by inserting in lieu thereof the word "validity".

VII. Engross the bill by renumbering all sections therein to comply with the foregoing amendments and any other amendments adopted to the bill.

VIII. Amend the original bill, page 4, Section 1, lines 46 and 47 (the printed bill, page 3, Section 1, line 35) by striking the word "of" after the word "approved" and striking the word "said" before the word "judges".

Correctly Engrossed

Legislative Bill No. 519.

(Signed) Craven, Chairman

MOTION—To Make Special Order of Business

Mr. President: I move that L. B. No. 397 be made special order of business on May 17, 1939 at 10:00 a. m. (Signed) Carlson.

A call of the House was ordered.

The call was raised.

The motion was lost with 17 ayes, 4 nays, 22 not voting.

SELECT COMMITTEE REPORT

MOTION—To Adopt Report

Mr. President: I move that the report of the Committee for Investigation and Examination of the Department of Insurance be adopted. (Signed) Miller.

Substitute Motion

Mr. President: As a substitute, I move that we accept the report and discharge the committee. (Signed) Dunn.

Record vote was requested.

Voting in the affirmative, 29:

Adams, E. A.
Callan
Carlson
Carsten
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Howard
Johnson
Johnston
Klaver
Mekota
Miller
Mischke
Neubauer
Norman
Peterson
Reavis
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 1: Doyle.

Not voting, 13:

Adams, J. Jr.
Ashmore
Brady
Brodecky
Craven
Diers
Herrick
Lambert
Mueller
Murphy
Reed
Rossiter
Schultz

The substitute motion prevailed.

Explanation of Vote

Mr. President: As I can not vote to adopt a report that can not be made a part of the records of this Legislature, so that all Nebraska citizens may know what we have okeyed by its adoption, I vote no. (Signed) Doyle.

Request to Change Introducers

Mr. Gutoski asked unanimous consent to change the name of the introducers on the insurance bills introduced by the Insurance Investigating committee.

Objection was raised by Mr. Doyle.

MOTION—To Suspend Rules and Proceed with General File

Mr. President: I move that the rules be suspended and that we proceed with the consideration of bills on General File. Hall.

The motion prevailed with 35 ayes, no nays, 8 not voting.

GENERAL FILE

LEGISLATIVE BILL NO. 331. Read and considered.

Mr. Miller offered the following amendments, which were adopted:

a. Amend the title by striking out the words "in the Department of Agriculture and Inspection" in lines 7 and 8 of the title.

b. Amend Section 1 by striking out the words "in the Department of Agriculture and Inspection" in lines 1 and 2.

c. Amend Section 1 by striking out the words "The Governor shall appoint an assistant director and also subordinates" in lines 5 and 6.

d. Amend Section 27 by striking all matter after the word appropriated, in line 45, and inserting in lieu thereof the punctuation period (.).

Insert in Section 1, page 2, line 5, after the word "Legislature." the following:

"The Director of Motor Fuels shall before entering upon the Discharge of the duties of his office, give bond, with security to be approved by the Governor, not less in any case than $10,000.00, conditioned for the faithful performance of his duties, which bond shall be filed in the office of the Secretary of State, and the premium of which bond shall be paid from the funds of the Division of Motor Fuels."

Speaker Diers presiding.

Mr. Van Diest offered the following amendment, which was adopted:

Amend Sec. 36, line 18, after the word "vehicles" by inserting the following: "except when one piece of equipment definitely replaces another".

Mr. Miller moved to refer to E and R for review.

The motion prevailed with 28 ayes, 6 nays, 9 not voting.

MOTION—Flowers for Member

Mr. President: I move that this Legislature send flowers to Mr. Murphy who has been ill for several days. (Signed) Carsten.

The motion prevailed.

Recess

At 11:53 a. m. on motion by Mr. Carsten the Legislature recessed until 2:00 p. m.

After Recess

The Legislature reconvened at 2:03 p. m. Speaker Diers presiding.

The roll was called and all members were present except Mr. Gutoski and Mr. Westley, and except Messrs. Mueller, Murphy and Schultz who were excused.

GENERAL FILE

LEGISLATIVE BILL NO. 307. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Seventy-third Day were adopted.

Mr. Miller moved to refer to E and R for review.

Mr. Craven moved to indefinitely postpone.

The Craven motion was lost with 5 ayes, 22 nays, 16 not voting.

The Miller motion prevailed.

Referred to E and R for review.

LEGISLATIVE BILL NO. 451. Read and considered.

Mr. Doyle offered the following amendments:

1. Amend the printed bill, page 1, by striking all of Sections 2 and 3 thereon and by inserting in lieu thereof the following:

"Sec. 2. That Sec. 77-1801, Comp. St. Supp., 1937, be amended to read as follows:

77-1801. The county board of equalization shall adjourn from time to time until the action of the State Board of Equalization and assessment shall have been had and certified to the county clerk and, on the last day of sitting as a board of equalization, the county board shall each year levy the necessary taxes for the current year; that said levy in the year 1937 shall include all county taxes for the current year; and all of said levies thereafter in the year 1938 and each succeeding year shall include all county taxes necessary to cover the amounts required to be raised by taxation, as provided in the annual budget of said county for the current year, and all of said levies provided for hereinbefore, including those for the years, 1937, 1938 and all succeeding years, shall include all township, city, school district, precinct, village, road district, and other taxes required by law to be certified to the county clerk and levied by the county board: **Provided,** any such taxes regularly voted and certified to the county clerk, after the county board shall have made such levy and before the county clerk shall have completed the tax list, shall be levied by the county clerk if within the limit of the law, and extended upon the tax list the same as if levied by the county board. In counties having a population of over thirty-five hundred, the rate of tax for county purposes shall not exceed thirty-five cents per hundred dollars actual valuation, as determined by the assessment rolls; and in counties having a population of thirty-five hundred or less, the rate of tax for county purposes shall not exceed fifty cents per hundred dollars actual valuation, as determined by the assessment rolls. For ordinary county revenue, including the support of the poor, not more than three mills on the dollar valuation: **Provided,** in counties having a population of nine thousand or less, such tax shall not exceed four mills on the dollar valuation; for the support of blind persons, as defined by law, ~~not more than~~ five-tenths of a mill on the dollar valuation, **such tax to be levied and collected in like manner with the general taxes of the county and shall be known as the Blind Assistance Fund of .... county, which fund shall be administered in accordance with the provisions of Sec. 68-329, Comp. St. Supp., 1937, as amended by Section 3 of this Act;** for roads, not more than one and seven-tenths of a mill on the dollar valuation; for the purchase of rural fire fighting equipment in rural fire districts which may be organized upon petition of fifty-one per cent of the voters comprising an area of one or more townships, or for the purpose of assisting and contributing to the purchase and upkeep of fire fighting equipment in adjoining cities or villages, not more than one-tenth of one mill per dollar valuation upon the property in such rural fire district; for county bridge fund, not more than one and six-tenths of a mill on the dollar valuation, and in counties having a population of over fifteen thousand and over one hundred thousand acres of irrigated land exclusive of bridges maintained as a part of the State Highway System, the county board shall have the power, when in its opinion the same is necessary, to levy an additional tax of one and one-half mills on the dollar valuation for the county bridge fund, the money derived therefrom to be put to the same uses as other moneys in said fund; for county sinking fund, not more than one mill on the dollar valuation. The county board in each county shall levy a tax of ~~not to exceed~~ two-tenths of one mill on the dollar annually on all taxable property in the county, such tax to be levied and collected in like manner with the general taxes of the county, and shall be known as ~~a~~ **the Aid to Dependent Children Fund of .... county which shall include the** Mother's Pension Fund **of said county, which fund shall be administered in accordance with the provisions of Sec. 68-329, Comp. St. Supp., 1937, as amended by Section 3 of this Act:** Provided, that in counties having a population of ~~150,000~~ **one hundred fifty thousand** inhabitants or more the county board shall levy a tax of ~~not to exceed~~ three-tenths of one mill on the dollar annually on all taxable property in the county for the **Aid to Dependent Children Fund which shall include the said** Mother's Pension Fund, **which fund shall be administered in the manner above required by other counties in said state.** The county boards of the several counties of this state are hereby authorized to levy a tax not exceeding three-tenths of one mill upon the taxable property of their respective counties, to be levied and collected as now provided by law for the assessment and collection of taxes for the purpose of creating a fund for the relief and for the funeral expenses of honorably discharged indigent soldiers, sailors, and marines, and the indigent wives, widows and minor children, not over fourteen years of age in the case of boys and not over sixteen years of age in case of girls of such indigent or deceased soldiers, sailors and marines, having a legal residence in said county, and labor tax as provided in the following section: Any taxpayer may appeal from the action of the county board in making such levy, if in the judgment of such taxpayer the levy is for an unlawful or unnecessary purpose, or in excess of the requirements of a county, within the same time and in the same manner as appeals are now taken from the action of the county board in the allowance or disallowance of claims against the county, and it shall not be necessary for such taxpayer to appear before the county board at the time of the making of the levy or prior thereto, in order to entitle him or it to such appeal. No appeal shall in any manner suspend the collection of any tax, or the duties of the officers relating thereto during the pendency of the appeal, and all taxes affected thereby which may be collected shall be kept by the treasurer in a special fund without distribution. The appellant shall, within the time provided by law for filing petition in the case of appeals from the county court and justice of the peace file his petition in the district court setting forth the levy or levies appealed from and the amount or extent to which the appellant shall claim such levy or levies are illegal or excessive and to that extent and no farther shall such levy or levies be affected by such appeal. At the time of filing such petition the appellant shall also file a copy thereof with the treasurer of the county and shall file in the district court an affidavit to the effect that he has filed a copy of such petition with the county treasurer. In case an appeal shall be taken to the supreme court from the decision of the district court the appeallant shall, on or before the time such appeal is taken to the supreme court, file with the treasurer of the county a notice to the effect that such appeal to the supreme court has been taken, and also file in the district court a copy of such notice, verified by affidavit, to the effect that such notice has been filed with the county treasurer. The county treasurer shall not be charged with such notice of appeal in case of a failure to file with him a copy of such petition and notice. The court shall hear the appeal as in equity and without a jury and determine whether or not the levy appealed from or any part thereof is for an unlawful or unnecessary purpose, or in excess of the requirements of the county, shall make such reduction in the levy as the court shall from all the facts determine is proper, legal or necessary and the decision of the court shall be certified by its clerk to the county clerk who shall correct the assessment books in his office accordingly. If the tax books have been delivered to the treasurer of the county for collection of the taxes before the determination of such appeal in the district court, a copy of such decision shall be certified by the clerk of the court to the treasurer of the county who shall thereupon distribute or return to the parties entitled thereto the tax so held undistributed in accordance with such decision, and the treasurer shall correct the tax books in his office to conform to such decision, unless a further appeal be taken to the supreme court in which case the treasurer shall hold said taxes until the final determination of the appeal in that court and thereupon distribute or return the same in conformity to such decision.

Sec. 3. That Sec. 68-329, Comp. St. Supp., 1937, be amended to read as follows:

68-329. In each county the funds now or hereafter lawfully raised through county taxes and received from other sources and appropriated to any of the respective activities herein mentioned shall supplement the funds distributed to said county **and administered as provided by law** for such respective activities by the ~~State Assistance-Committee~~ **Board of Control of state institutions**; and the total amount of said sums or so much thereof as may be necessary, shall be used for such respective activities in such county, as provided by law. **The county treasurer of each county of the state shall deposit with the treasurer of the state of Nebraska in the "State Assistance Fund", as established by Sec. 68-317, Comp. St. Supp., 1937, as now existing or as hereafter amended, the several funds hereinafter mentioned, strictly allocated and segregated as hereinafter provided: a. To the credit of each county, its "Blind Assistance Fund" so deposited; and b. To the credit of each county, its "Aid to Dependent Children Fund" which includes** its "Mothers' Pension Fund", both of said funds arising under the provisions of Sec. 77-1801, Comp. St. Supp., 1937, as amended by Section 2 of this Act. Such funds, deposited as aforesaid, shall be disbursed by the Board of Control of state institutions solely and exclusively for aid to dependent children, mothers and blind persons within the county to whose credit said funds are deposited; and said county funds of each county, so deposited, shall be used solely and exclusively to supplement the fund distributed to each of said counties respectively for said activities by the Board of Control of state institutions. The treasurer of the state of Nebraska shall maintain separate accounts within the "State Assistance Fund" for the said county funds, credited, allocated and segregated to each county of said state, as aforesaid; and the said state treasurer shall record within said "State Assistance Fund" the funds of each county as deposited therein and as paid out for assistance to dependent children, mothers and blind persons of each of said counties: Provided, if either the "Blind Assistance Fund" or the "Aid to Dependent Children Fund", deposited, credited, allocated and segregated to any county, shall become completely exhausted, and, if there be money to the credit of the fund in the other assistance category belonging to the same county, the Board of Control of state institutions is hereby empowered and directed to use the remaining balance in said other categorical fund for the uses and purposes of the exhausted fund; and provided further, the use of said remaining balance shall be limited strictly to use within the county which originally deposited it.

Sec. 4. That said original Secs. 68-401, 77-1801 and 68-329, Comp. St. Supp., 1937, are hereby repealed.

Sec. 5. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law.".

2. Amend the printed bill, page 1, title, by striking all of said title after the word "ACT" in line 2 therein and by inserting in lieu thereof the following:

"to amend Secs. 68-401, 77-1801 and 68-329, Comp. St. Supp., 1937, relating to public welfare and social security; to provide that the Blind Assistance Board in each county shall administer its activity under the direct supervision of the Board of Control of state institutions; to provide that the annual tax authorized to be levied by the several counties for the uses and purposes of the "Mothers' Pension Fund" shall hereafter be credited to the "Aid to Dependent Children Fund" which includes the "Mothers' Pension Fund"; to provide that the annual tax authorized to be levied by the several counties for the support of blind persons shall be credited to the "Blind Assistance Fund"; to provide for the deposit thereof by the county treasurers of the several counties in the office of the state treasurer within the "State Assistance Fund" for the sole use and benefit of the county and within the county so depositing said funds under the administration and management of the Board of Control of state institutions; to repeal said original sections; and to declare an emergency.".

Mr. Rossiter offered the following amendments:

1. Amend the proposed amendments, April 11, mimeographed, Amendment 1, page 1, line 36 by striking therefrom the word "five-tenths" therein and by inserting in lieu thereof the word **"one-fiftieth."**

2. Amend the proposed amendments, April 11, 1939, mimeographed, Amendment 1, page 2 by striking that part of said amendment commencing with the last word "The" in line 58 down to and including the word and punctuation **"state."** in line 73 and by inserting in lieu thereof the following:

"The county board in each county shall levy a tax of ~~not to exceed two-tenths~~ **one-tenth** of one mill on the dollar annually on all taxable property in the county, such tax to be levied and collected in like manner with the general taxes of the county, and shall be known as a **the** Mother's Pension Fund **of....................county; and likewise the county board in each county shall levy a tax of one-tenth of one mill on the dollar annually on all taxable property in the county, such tax to be levied and collected in like manner with the general taxes of the county, and shall be known as the Aid to Dependent Children Fund of .... county, which fund shall be administered in accordance with the provisions of Sec. 68-329, Comp. St. Supp., 1937, as amended by Section 3 of this Act:** Provided, that in counties having a population of ~~150,000~~ **one hundred fifty thousand** inhabitants or more the county board shall levy a tax of ~~not to exceed three-tenths~~ **one-tenth** of one mill on the dollar annually on all taxable property in the county for the said Mother's Pension Fund; **and likewise the county board in counties having a population of one hundred fifty thousand inhabitants or more shall levy a tax of two-tenths of one mill on the dollar annually on all taxable property in the county for the Aid to Dependent Children Fund of .... county, which fund shall be administered in the same manner as above required by other counties in said state"**

3. Amend the proposed amendments, April 11, 1939, mimeographed, Amendment 1, page 4, Section 3, lines 18 and 19 by striking therefrom **'which includes its "Mothers' Pension Fund", both of said funds'**.

4. Amend the proposed amendments, April 11, 1939, mimeographed, Amendment 1, page 4, Section 3, lines 23 and 33 by striking

the punctuation and word ", **mothers**" wherever the same appears in each of said lines respectively.

5. Amend the proposed amendments, April 11, 1939, mimeographed, Amendment 2, pages 4 and 5 by striking all of said amendment after the word and punctuation "security;" in line 5 of said page and by inserting in lieu thereof the following:

"to provide for the amount of annual levies to be made by the county boards of the several counties for blind assistance, mothers' pensions and aid to dependent children; to provide that said blind assistance and aid to dependent children funds shall be administered by the several counties under the direct supervision of the Board of Control of state institutions; to provide for the deposit of said blind assistance and aid to dependent children funds by the county treasurers of the several counties in the office of the state treasurer, within the State Assistance Fund, for the sole use and benefit of the county and within the county so depositing said fund under the administration and management of the Board of Control of state institutions; to repeal said original sections; and to declare an emergency.".

The Doyle amendments and the Rossiter amendments were read and considered.

Mr. Klaver moved that the bill be laid over.

The motion prevailed.

LEGISLATIVE BILL NO. 173. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Fifty-first Day were adopted.

Mr. Reavis offered the following amendment, which was adopted:

Strike the paragraph following the word "WHEREAS" where it appears the sixth time in the preamble, up to the next word "WHEREAS".

Mr. Reavis moved to refer to E and R for review.

The motion prevailed.

Adjournment

At 3:45 p. m. Mr. Tvrdik moved to adjourn.

Mr. Von Seggern offered a substitute motion to suspend the rules and adjourn until 8:00 a. m. Wednesday.

A call of the House was ordered.

The call was raised.

The substitute motion was lost with 26 ayes, 6 nays, 11 not voting.

At 3:52 p. m. Mr. Hall offered a substitute motion to suspend the rules and adjourn until 8:30 a. m. Wednesday.

The substitute motion prevailed with 30 ayes, 2 nays 11 not voting.

Hugo F. Srb,
Clerk of the Legislature.

NINETY-FIFTH DAY

Legislative Chamber,
Lincoln, Nebraska, May 17, 1939.

The Legislature met at 8:35 a. m. President Johnson presiding.

Reverend C. L. Wireman of Ashburn, Georgia led the Legislature in prayer.

The roll was called and all members were present except Messrs. Mueller and Murphy who were excused.

The Journal for the Ninety-fourth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Brodecky, one, favoring L. B. No. 74; Mr. Hall, one, favoring L. B. No. 176.

COMMUNICATIONS

Letters were read from W. B. Bankhead, Speaker of the House of Representatives, and from Congressmen Charles F. McLaughlin, George H. Heinke and Carl T. Curtis, all acknowledging receipt of a copy of Legislative Resolution No. 31, regarding navigation on the Missouri River.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 326. Placed on Select File with Amendments.

E and R amendments to L. B. No. 326:

I. Amend the original bill, page 1, Section 1, line 1 (the printed bill, page 1, Section 1, line 1) by striking the second word "Section" therein and by inserting in lieu thereof the abbreviation and punctuation "Sec.".

II. Amend the original bill, page 2, Section 1, line 15 by striking the first definite article "the" therein and by inserting in lieu thereof the word "The".

III. Amend the original bill, page 2, Section 1, line 20 (the printed bill, page 2, Section 1, line 17) by striking the word "'Building".

IV. Amend the original bill, pages 2 and 3 (the printed bill, pages 2 and 3) by striking the first word "Section" in line 1 of Sections 2 to 6 inclusive thereon and by inserting in lieu thereof the abbreviation and punctuation "Sec.".

V. Amend the original bill, page 2, Section 2, line 1 (the printed bill, page 2, Section 2, line 1) by striking the second word "Section" and by inserting in lieu thereof the abbreviation and punctuation "Sec.".

VI. Amend the original bill, page 2, Section 2, line 6 (the printed bill, page 2, Section 2, line 6) by striking therefrom the word "thereof" and by inserting in lieu thereof the word "thereto".

VII. Amend the General File amendments, May 8, 1939, Amendment 4, lines 2 and 3 by striking therefrom the words "subject to confirmation by the Legislature when it convenes" and by inserting in lieu thereof the following:

"subject to confirmation by the Legislature when it convenes".

VIII. Amend the original bill, page 2, Section 2, line 19 (the printed bill, page 2, Section 2, line 16) by striking therefrom the words **"state capitol"** and by inserting in lieu thereof the words **"State Capitol"**.

IX. Amend the General File amendments, May 8, 1939, Amendment 5, line 2 by striking "all of its" therein and by inserting in lieu thereof **"all of its"**.

X. Amend the original bill, page 2, Section 2, line 24 (the printed bill, page 2, Section 2, line 21) by striking the word "is" and by inserting in lieu thereof the word "be".

XI. Amend the original bill, page 3, Section 3, line 1 (the printed bill, page 2, Section 3, line 1) by striking the second word "Section" and by inserting in lieu thereof the abbreviation and punctuation "Sec.".

XII. Amend the General File amendments, May 8, 1939, Amendment 2, line 2 by striking therefrom the words "with the approval of the Legislature" and by inserting in lieu thereof the following:

"with the approval of the Legislature".

XIII. Amend the original bill, page 3, Section 3, line 5 (the printed bill, page 2, Section 3, line 4) by striking the word "The" and by inserting in lieu thereof the word **"The".**

XIV. Amend the General File amendments, May 8, 1939, Amendment 1, line 2 by striking therefrom the words "their successors are elected" and by inserting in lieu thereof the words **"their successors are elected".**

XV. Amend the General File amendments, May 8, 1939, Amendment 3, line 2 by striking therefrom "and Legislature" and by inserting in lieu thereof the words **"and Legislature".**

XVI. Amend the original bill, page 3, Section 3, line 8 (the printed bill, page 3, Section 3, line 7) by inserting after the words "preparation" the words "of a program".

XVII. Amend the original bill, page 3, Section 3, line 13 (the printed bill, page 3, Section 3, line 12) by striking therefrom the word "co-operative" and by inserting in lieu thereof the word "cooperative".

XVIII. Amend the original bill, page 3, Section 3, line 15 (the printed bill, page 3, Section 3, line 13) by striking the word "purpose" and by inserting in lieu thereof the word "purposes".

XIX. Amend the original bill, page 3, Section 4, line 1 (the printed bill, page 3, Section 4, line 1) by striking the word "sections" therein and by inserting in lieu thereof the abbreviation and punctuation "Secs.".

XX. Amend the original bill, page 3, Section 4, lines 2 and 3; page 3, Section 5, line 3 (the printed bill, page 3, Section 4, line 2; page 3, Section 5, lines 2 and 3) by striking "be, and the same hereby are, repealed" wherever said words and punctuation appear in each of said lines respectively and by inserting in lieu thereof the words "are hereby repealed".

XXI. Amend the original bill, page 3, Section 5, line 1 (the printed bill, page 3, Section 5, line 1) by striking therefrom the word "sections" and by inserting in lieu thereof the word "Sections".

XXII. Amend the original bill, page 3, (the printed bill, page 3) by striking all of Section 6 thereon and by inserting in lieu thereof the following:

"Sec. 6. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law."

XXIII. Amend the original bill, page 1, title, line 2 (the printed bill, page 1, title, line 2) by striking therefrom all of said title after the word "Act" and inserting in lieu thereof the following:

"to amend Secs. 50-501, 50-502 and 50-508, Comp. St. Supp., 1937, relating to the Legislature; to provide the method of election of members of the Legislative Council; to fix their terms of office; to provide for the manner of filling of vacancies in said council; to prescribe the duties of the director of research; to provide that the Legislature and said Legislative Council shall have access to all library facilities of the state; to provide for the establishment of a bill drafting service and to prescribe the powers and duties of the Legislative Council in reference thereto; to abolish the Nebraska Legislative Reference Bureau; to repeal Sections 50-401, 50-402, 50-403, 50-404, 50-405, 50-406 and 50-407, Compiled Statutes of Nebraska, 1929; to repeal said original sections; and to declare an emergency."

XXIV. Amend General File amendments (Miller) May 8, 1939, Amendment 3, line 1, by inserting after the article "the" and before the noun "word", the adjective "second".

Correctly Enrolled

L. B. No. 2 L. B. No. 168 L. B. No. 170

(Signed) Craven, Chairman.

President Signs

While the Legislature was in session and capable of transacting business the President signed:

L. B. No. 2 L. B. No. 168 L. B. No. 170

MOTION—To Suspend Rules and Introduce Bill

Mr. President: I move to suspend the rules and introduce an appropriation bill. Brady.

The motion prevailed with 37 ayes, no nays, 6 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 520. By Committee on Appropriations.

A bill for an Act to provide for the payment of the salaries of the officers of the Nebraska state government for the biennium ending June 30, 1941; to prescribe conditions for payment thereof; and to declare an emergency.

MOTION—To Suspend Rules and Read Bill Second Time

Mr. President: I move to suspend rules and read Legislative Bill No. 520 the second time now. Brady.

The motion prevailed with 36 ayes, no nays, 7 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title see Bills on First Reading)

LEGISLATIVE BILL NO. 520. Referred to Committee on Appropriations.

MOTION—To Suspend Rules and Refer to General File

Mr. President: I move that the rules be suspended and that L. B. No. 520 be placed on General File. Brady.

The motion prevailed with 35 ayes, no nays, 8 not voting.

MOTION—To Have Bills Reported Out

Mr: President: I move that L. B. No. 499 and L. B. No. 502 be reported out on General File. (Signed) Miller.

Mr. Craven asked for a division of the question.

Vote was taken on Mr. Miller's motion to have L. B. No. 499 reported out on General File. The motion was lost with 13 ayes, 16 nays, 14 not voting.

Mr. Miller withdrew his motion regarding L. B. No. 502.

MOTION—To Reconsider Action

Mr. President: I move that we reconsider our action on L. B. No. 502 and place the same on General File. Craven.

The vote thereon was 13 ayes, 13 nays, 17 not voting. The Chair announced that having failed to receive the constitutional majority the motion was lost.

BILLS ON THIRD READING

LEGISLATIVE BILL NO. 447. John Adams, Jr. offered the following amendment, which was adopted:

Amend the Specific amendment offered to L. B. No. 447 on May 15, 1939 as appears on page 1086 of the Journal by striking the words "one-half" in line 44 and inserting in lieu thereof "one-fourth".

Mr. Gross' motion offered on the Ninety-third Day as amended to recommit L. B. No. 447 to Select File for specific amendments prevailed.

LEGISLATIVE BILL NO. 44. Passed over to be reconsidered with L. B. No. 447.

LEGISLATIVE BILL NO. 127. Mr. Craven moved that the bill be placed on Select File for the following specific amendment:

"Amend engrossed bill No. 127, page 2, Sec. 4, lines 7 and 8 (Standing Committee amendment No. 10) by striking the words and punctuation," "Sec.———, Comp. St. Supp., Neb., 1939" " and inserting in lieu thereof the following:

" "Sec.———, C. S. Sup., 1939" "

The motion prevailed.

Member Excused

Mr. Sorrell was excused for the remainder of the day.

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 132. (With emergency clause)

A bill for an Act relating to county government and officers; to provide for inventory and statement of county personal property in the possession or custody of each officer in the several counties of the state of Nebraska; to provide the duties of the auditor of public accounts in connection with said inventory and statement; to define the duties of county boards and other county officers in connection therewith; to prescribe penalties for the violation thereof; to amend Section 84-304, Compiled Statutes of Nebraska, 1929; to amend Sec. 26-105, Comp. St. Supp., 1937; to amend Section 26-901, Compiled Statutes of Nebraska, 1929; to amend Sec. 26-1002, Comp. St. Supp., 1937; to amend Sec. 26-108, Comp. St. Supp., 1937, as amended by Section 1, Legislative Bill No. 23, Fifty-third Session, Nebraska State Legislature, 1939, as amended by Section 1, Legislative Bill No. 131, Fifty-third Session, Nebraska State Legislature, 1939; to amend Sections 27-511, 39-1302, 79-1502, 26-1101, 26-1206, 26-1301, 26-1401 and 26-1601, Compiled Statutes of Nebraska, 1929; to amend Sec. 77-1609, Comp. St. Supp., 1937; to amend Sections 32-1801 and 83-708, Compiled Statutes of Nebraska, 1929; to amend Sec. 20-1625, Comp. St. Supp., 1937, as amended by Section 1, Legislative Bill No. 9, Fifty-third Session, Nebraska State Legislature, 1939; to amend Section 20-2215, Compiled Statutes of Nebraska, 1929; to repeal said original sections; to repeal said original sections, as amended; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Howard
Johnson
Klaver
Lambert
Miller
Mischke
Neubauer
Norman
Peterson
Reed
Rossiter
Schultz
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 9:

Callan
Hastings
Herrick
Johnston
Mekota
Mueller
Murphy
Reavis
Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 389. (With emergency clause)

A bill for an Act to amend Secs. 68-258, 68-260, 68-268, 68-274, 43-518, 68-266 and 68-410, Comp. St. Supp., 1937, relating to public welfare and social security; to provide that every needy person while residing in and retaining his legal residence in the state of Nebraska shall be eligible to receive old age assistance if such person be found in the first instance to be or continues to be qualified as a recipient thereof under the laws governing the same; to prescribe the rules and regulations to be followed in the investigation of applications in the case of original applicants for old age assistance; to prescribe the method for the determination of the amount of assistance to be paid to applicants therefor and to recipients thereof on the basis of "need" as therein defined; to provide that persons domiciled in fraternal, benevolent or charitable institutions may receive assistance in like manner as other persons, if eligible therefor; to provide that the Board of Control of state institutions shall never expend more than one-eighth of the specific appropriation made to it by the Legislature for the uses and purposes of the State Assistance Fund during any one-eighth of a biennium in allocating said fund to the several counties of the state on the basis of their respective needs, whether or not there be cash on hand to the credit of said fund, except from balances remaining and unexpended after allocation of said fund shall have been made to the several counties during any one or more previous three-months period or periods of said biennium; to provide procedure for securing reimbursement from the estates of recipients of old age assistance; to provide that reasonable funeral and burial expenses for dependent children, and recipients of old age assistance and blind assistance, upon death, shall be paid by the county boards of the proper counties; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Howard
Johnson
Johnston
Mekota
Miller
Mischke
Neubauer
Peterson
Reavis
Reed
Rossiter
Schultz
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 3:

Craven
Herrick
Klaver

Not voting, 6:

Callan
Lambert
Mueller
Murphy
Norman
Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Explanation of Vote

Mr. President: The basis of need as provided in this bill is made to order for investigators, inquisitions, and torment of the aged. I vote no. (Signed) Herrick.

LEGISLATIVE BILL NO. 74.

A bill for an Act relating to public health and welfare; to provide for the sanitary regulations and licensing of barber shops and barber schools; to fix fees for regulation of such barber shops and barber schools and for the annual renewal thereof; to provide penalties for the violations of the provisions of the Act; to provide for the approval of price agreements in any city or village or area outside the limits of any municipality within the state of Nebraska; and further to enlarge the present powers of the Board of Barber Examiners.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the qeustion is 'shall the bill pass?' "

A call of the House was ordered.

The call was raised.

Voting in the affirmative, 22:

Adams, E. A.
Callan
Carlson
Diers
Doyle
Dunn
Gutoski
Hall
Hastings
Johnston
Klaver
Lambert
Mekota
Miller
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Tvrdik
Westley

Voting in the negative, 15:

Ashmore
Brady
Brodecky
Carsten
Craven
Gantz
Garber
Gross
Herrick
Howard
Johnson
Neubauer
Thomas
Thornton
Von Seggern

Not voting, 6:

Adams, J. Jr.
Mischke
Mueller
Murphy
Sorrell
Van Diest

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Explanation of Vote

Mr. President: This bill will only result in an additional tax on barber shops and nothing more. I vote no. (Signed) Herrick.

Mr. President: I vote no on L. B. No. 74:

1. Unnecessary, not desired by majority of barbers nor by public; against public interest.

2. Penalty unreasonable.

3. Will create hardship on the smaller shops.

4. Authorizes special group to fix prices, which if extended to other businesses as in fairness it must be, will result in prices being controlled and competition eliminated or restricted in every line of business, the end of individual freedom and enterprise.

(Signed) Gantz.

SELECT FILE

LEGISLATIVE BILL NO. 447. The amendments offered by Mr. Gross, as amended by John Adams, Jr. in this day's Journal, were adopted.

Referred to E and R for reengrossment.

LEGISLATIVE BILL NO. 127. The amendment offered by Mr. Craven, found in this day's Journal was adopted.

Mr. Thomas presiding.

LEGISLATIVE BILL NO. 172. E and R amendment as found in the Legislative Journal for the Ninety-second Day was adopted.

LEGISLATIVE BILL NO. 272. E and R amendments as found in the Legislative Journal for the Ninety-second Day were adopted.

Mr. Van Diest offered the following amendments, which were adopted by unanimous consent:

1. Amend the original bill, page 3 (the printed bill, page 2) by inserting immediately after Section 2 thereon a new section to be known and numbered as follows:

"Sec. 3. There is hereby appropriated out of the general fund of the state of Nebraska not otherwise appropriated the sum of thirty-five thousand dollars to carry out the purposes of the two preceding sections. The sum herein appropriated shall be immediately available from and after the effective date of this Act up to and including June 30, 1941. The sum herein appropriated shall be held and kept by the state treasurer in a fund to be known as **The Bang's Disease Eradication Fund.** Against said fund so established the auditor of public accounts is hereby authorized and directed to draw warrants upon the state treasurer for the purposes of this Act upon presentation of proper vouchers approved by the Director of the Department of Agriculture and Inspection; and the state treasurer shall pay the same out of any moneys to the credit of but never in excess of the amount herein specifically appropriated."

2. Renumber the remaining section of said bill to comply with the foregoing amendment.

3. Amend the original bill, page 1, title, line ——— (the printed bill, page 1, title, line 5) by inserting immediately after the word and punctuation "Nebraska;" therein the following:

"specifically to appropriate the sum of thirty-five thousand dollars for the purpose of administering the provisions of this Act from its effective date until June 30, 1941;".

Mr. Craven moved that L. B. No. 518, L. B. No. 172 and L. B. No 272 be referred to E and R for engrossment.

Mr. Gutoski asked for a division of the question.

L. B. No. 518 referred to E and R for engrossment.

Mr. Gutoski moved to indefinitely postpone L. B. No. 172.

The motion was lost.

L. B. No. 172 referred to E and R for engrossment.

L. B. No. 272 referred to E and R for engrossment.

Members Excused

Mr. Hastings was excused for the afternoon session.

Mr. Miller was excused for the afternoon session and the session on Thursday, May 18th.

Recess

At 12:10 p. m. on motion by Mr. Von Seggern the Legislature recessed until 2:00 p. m.

After Recess

The Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present except Messrs. Hastings, Miller, Mueller, Murphy, Schultz and Sorrell who were excused.

SELECT FILE

LEGISLATIVE BILL NO. 299. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 495. Mr. Craven moved to refer to E and R for engrossment.

Mr. Mischke moved to indefinitely postpone.

The Mischke motion was lost with 4 ayes, 22 nays, 19 not voting.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 300. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 413. Mr. Craven moved to refer to E and R for engrossment.

Mr. Von Seggern moved to indefinitely postpone.

The Von Seggern motion prevailed with 18 ayes, 10 nays, 15 not voting.

LEGISLATIVE BILL NO. 174. E and R amendments as found in the Legislative Journal for the Ninety-third Day were adopted.

Mr. Peterson moved to place on General File for the following Specific amendment:

1. Amend the printed Bill, Section 1, Line 4, by adding at the end thereof the following:

Provided, however, the power of definition herein granted shall not be used to define or declare as a nuisance any trade practice in the sale of goods, wares and merchandise which is not actually inimical to the public health, or the public morals, or the public safety.

The motion prevailed with 29 ayes, 3 nays, 11 not voting.

LEGISLATIVE BILL NO. 106. Laid over.

Mr. Peterson presiding.

LEGISLATIVE BILL NO. 515. E and R amendments as found in the Legislative Journal for the Ninety-third Day were adopted.

Mr. Brady and Mr. Tvrdik offered the following amendments, which were adopted by unanimous consent:

1. Amend the printed bill, page 3, Section 2, line 3 by striking therefrom the conjunction "or" after the word "sheriff" and before the preposition "by" and by inserting in lieu thereof the punctuation ","; and in said line 3 after the word "Patrol" therein insert the following:

"or by the Game, Forestation and Parks Commission".

2. Amend the printed bill, page 1, title, line 8 by striking the second conjunction "or" therein after the word "sheriff" and before the definite article "the" and by inserting in lieu thereof the punctuation ","; and in line 9 of said title after the word "Patrol" insert the following:

"or by the Game, Forestation and Parks Commission".

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 400. E and R amendments as found in the Legislative Journal for the Ninety-third Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 179. E and R amendments as found in the Legislative Journal for the Ninety-third Day were adopted.

Ernest A. Adams moved to indefinitely postpone.

The motion was lost with 9 ayes, 19 nays, 15 not voting.

Referred to E and R for engrossment.

President Johnson presiding.

LEGISLATIVE BILL NO. 76. E and R amendments as found in the Legislative Journal for the Ninety-second Day were adopted.

Mr. Van Diest offered the following amendment, which was adopted by unanimous consent:

Directly following the word "maintained" in line 18, page 1 of Sec. 1, original bill, add the following: "Provided, however, no agency or department of the state of Nebraska shall make any requirements because of the provisions of this act that will increase the cost to the state of merchandise, materials, supplies or services. And,".

Mr. Mekota moved to indefinitely postpone.

The motion was lost with 9 ayes, 16 nays, 18 not voting.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 327. E and R amendments as found in the Legislative Journal for the Ninety-third Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 465. E and R amendments as found in the Legislative Journal for the Ninety-third Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 491. Laid over.

LEGISLATIVE BILL NO. 471. E and R amendments as found in the Legislative Journal for the Ninety-third Day were adopted.

Mr. Thomas offered the following amendment, which was adopted by unanimous consent:

Before the word "purpose" in line 3, Sec. 2, page 1, insert the following words: "sole and only".

Mr. Mekota moved to indefinitely postpone.

After discussion Mr. Dunn moved the previous question.

The motion prevailed with 26 ayes, 1 nay, 16 not voting.

Vote was taken on the Mekota motion.

A call of the House was ordered.

The call was raised.

The motion was lost with 15 ayes, 20 nays, 8 not voting.

Mr. Thomas moved to refer to E and R for engrossment.

The motion prevailed with 18 ayes, 14 nays, 11 not voting.

MOTION—To Suspend Rules and Introduce Bill

Mr. President: I move that the rules be suspended and L. B. No. 521 be read the first time. Brady.

The motion prevailed with 33 ayes, no nays, 10 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL NO. 521. By Committee on Appropriations.

A bill for an Act making appropriations for the state government of the state of Nebraska for the biennium beginning July 1, 1939 and ending June 30, 1941; prescribing conditions for the determination of the levy of state taxes for the state general fund; specifically to appropriate for the immediate needs of the State Assistance Fund and certain other funds for the remainder of the biennium ending June 30, 1939; reciting limits and conditions on the expenditure of funds from the appropriations so made; and to declare an emergency.

MOTION—To Suspend Rules and Read Bill Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 521 be read the second time now. Brady.

The motion prevailed with 31 ayes, no nays, 12 not voting.

BILLS ON SECOND READING

The following bill was read the second time by title:

(For title see Bills on First Reading)

LEGISLATIVE BILL NO. 521. Referred to Committee on Appropriations.

MOTION—To Suspend Rules and Refer to General File

Mr. President: I move that the rules be suspended and that L. B. No. 521 be placed on General File. Brady.

The motion prevailed with 32 ayes, no nays, 11 not voting.

Adjournment

At 5:04 p. m. Mr. Tvrdik moved that the rules be suspended and that the Legislature adjourn until 8:30 a. m. Thursday.

A call of the House was ordered.

The call was raised.

The motion prevailed with 30 ayes, 1 nay, 12 not voting.

Hugo F. Srb,
Clerk of the Legislature.

NINETY-SIXTH DAY

Legislative Chamber,
Lincoln, Nebraska, May 18, 1939.

The Legislature met at 8:30 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Messrs. Miller, Mueller and Murphy who were excused.

The Journal for the Ninety-fifth Day was approved as corrected.

Communications

A letter was read from Congressman Harry B. Coffee acknowledging receipt of a copy of Legislative Resolution No. 29 regarding Interstate Transit Privileges.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 301. Placed on Select File.
(Signed) Craven, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 34. Appreciation Legislative Picnic.

Introduced by Gutoski of Douglas, Carsten of Cass

Preamble

WHEREAS, a picnic was held on the evening of May 10, 1939, by legislative employees for members of the Legislature and their respective families, and

WHEREAS, the following firms and individuals generously donated supplies and services to such picnic: Omar Baking Company, Gooch Baking Company, Safeway Stores, Schwarz Paper Company, Harry S. Boyd, Orleans Creamery, Stanley A. Tillman, chef of the State House Cafe, Frank Given, and the Cornhusker Hotel;

NOW THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That the Nebraska Unicameral Legislature, on behalf of its members, does hereby express sincere thanks and appreciation to the employees and those firms and individuals mentioned in the preamble of this resolution for so generously donating supplies and services to the Legislative picnic.

2. That a copy of this resolution be spread at large on the Journal of this Legislature; and that the Clerk of the Legislature be directed to forward copies of this resolution, properly authenticated and suitably engrossed to the following firms and individuals: Omar Baking Company, Omaha, Nebraska, Gooch Baking Company, Lincoln, Nebraska, Safeway Stores, Lincoln, Nebraska, Schwarz Paper Company, Lincoln, Nebraska, Harry S. Boyd, Lincoln, Nebraska, Orleans Creamery, Orleans, Nebraska, Stanley A. Tillman, Lincoln, Nebraska, Frank Given, Lincoln, Nebraska, and the Cornhusker Hotel.

Laid over one day.

LEGISLATIVE RESOLUTION NO. 35. By Special Committee on Memorial Resolutions

Mr. President: Your Special Committee (see Legislative Journal Eighty-seventh Day) to whom was committed the duty of preparing an appropriate resolution respecting the memories of former legislators who have died since April 2, 1935, beg leave to report as follows:

MEMORIAL RESPECTING THE MEMORIES OF

Alvin Blessing, Henry D. Byram, Lloyd Orville Taylor, Carl H. Beethe, David McCracken, John McLellan, C. W. Johnson, John I. Stringfellow, William Colton, Rainsford C. Brownell, John O. Moore, Samuel J. Rothwell, Thomas L. Jones, W. G. Hastings, Paul Bruveleit, George W. Tibbets, J. C. F. McKesson, Walter S. Jardine, Joshua A. Lord, Don Thompson, A. R. Humphrey, B. E. Sturdevant, Dr. Thomas J. Lawson, John F. Cordeal, Frank C. Rundle, Samuel G. Hoff, John E. Miller, George L. Smith, Hugh A. Myers, Rev. George A. Wash, George A. Felton, Albert M. Keyes, Erle Smiley, Rev. Frank R. Mills, Harry G. Taylor,

Clarence L. France, Col. C. L. Alexander, John Canfield, E. P. Cromer, I. A. Sheridan, Herman F. Beckman, William G. J. Dau, Othman A. Abbott, Sr., Joseph W. Whitham, William Fenton, William W. Young, John A. Dietz, Lewis L. Raymond, Lewis C. Rudisell, John T. Bressler, George E. Tracewell, John A. Amsberry, J. P. O'Furey, Dr. W. R. Talboy, John G. Boelts, Cyrus H. Lee, George Landgren, Charles A. Randall, Earl Hilliard, Henry Bock, Charles A. Goss, August H. Biermann, M. L. Dowell, and Edwin T. Osterman.

Thou canst not frown, O Death! Thy sullen brow
Is marble-cast; thine ear is deaf and dead
To sound; thine eyes are blind, and thou art led
By wandering chance, nor knowest where or how;
Nor smile nor frown can move thy visage, now,
To fill the cup of joy, or pain. 'Tis said
Thou hast no touch of sorrow for the bed
Of anguish; thou dost scorn both weal and woe,
And, merciless and pitiless, dost change
The purposes of men, with frosted breath;
Dost snap sweet ties and gentle bonds of love,
And in thy prison-house—the grave—with strange,
Relentless hand, dost bind the soul, O Death!
And cheat the spirit of its home above.
Yet, Death! thou art not victor. Through the gloom
Of thy veiled face, like some dim-visioned height
In shadow, dawns the spirit's quenchless light—
The vast reality of love—to loom
Beyond the shuddering silence of the tomb!

Alvin Blessing

Alvin Blessing was born in Michigan in 1871, and migrated to Nebraska in 1880. He was a member of the Senate during the 1935 Session and played a prominent role in drafting the Nebraska Liquor Control Act and the tax laws providing for payment of taxes on motor vehicles when annual licenses are issued in January of each year. He was prominent in business and civic affairs at Ord, Nebraska, for many years. His death on January 26, 1936 brought poignant sorrow to his many friends.

Henry D. Byram

Henry D. Byram of Decatur, Nebraska, passed away on or about January 5, 1936 at the age of eighty-one. He was a member of the House of Representatives during the sessions of 1897 and 1907. He had been in the general merchandise business since 1884, and was highly repected by those who knew him.

Lloyd Orville Taylor

Lloyd Orville Taylor was a member of the House of Representatives during the session of 1919. He was a resident of Stockville, Nebraska for many yars and later was active in the insurance business at McCook, Nebraska. He was treasurer of Frontier county for two terms. He died on March 7, 1936, following a long illness. He was recognized as a faithful and upright public servant.

Carl H. Beethe

Carl H. Beethe, who was a resident of Elk Creek, Nebraska, died on or about March 14, 1936. He was a member of the House of Representatives during the 1901 session and was for many years a farmer in Johnson County. He enjoyed the confidence and respect of his home community and his many acquaintances.

David McCracken

David McCracken, a member of the House of Representatives during the sessions of 1897 and 1899, died on or about June 3, 1936. He was active in much valuable legislation. His widow, daughter and son survive.

John McLellan

John McLellan was born at Ayrshire, Scotland on September 11, 1864. He came to Hall county, Nebraska in 1884 and was located at Alda, Nebraska, for many years. In 1918 he moved to Grand Island, Nebraska and engaged in the insurance business there. He was a member of the House or Representatives during the 1919, 1921, 1925, 1927, 1929 and 1935 sessions. He was a very able legislator and was highly respected by all of his friends. He died on June 16, 1936.

C. W. Johnson

C. W. Johnson was a member of the Senate during the sessions of 1925, 1927, 1929 and 1931, and was a resident of Potter, Nebraska. He passed away on or about June 22, 1936, while celebrating his golden wedding anniversary. His passing was deeply felt by his many friends, who admired him for his integrity and straightforwardness in all matters.

J. I. Stringfellow

J. I. Stringfellow of Oakdale, Nebraska suffered a heart attack while on a fishing trip at Lake Ericson and two weeks later died at his home on July 6, 1936. He had been a resident of Oakdale for many years and was widely known in northeast Nebraska. He was a member of the House of Representatives during the sessions of 1931, 1933 and 1935, and at the time of his death was a nominee for the 1937 unicameral legislature. As a legislator he displayed marked ability and understanding, serving his constituents and this state faithfully and without thought of self-interest.

William Colton

William Colton, a native of England, came to the United States in 1872 as a boy of fifteen. He lived in Indiana and Illinois before moving to Tecumseh in 1883. After operating a flour mill and elevator there for five years, he went to York and was engaged in the same business there for twenty-eight years. He was a member of the House of Representatives during the session of 1911 and was four times mayor of York. He was a fiery debater in his legislative days, possessing unfailing good humor, constant attention to his duties, and a vigorous progressive spirit. He died on or about August 3, 1936.

Rainsford C. Brownell

Rainsford C. Brownell was a member of the House of Representatives during the Session of 1895. He was former mayor and a long time resident of North Bend. After a long illness he passed away at his home on or about August 29, 1936. His death was mourned by his many friends and neighbors.

John O. Moore

John O. Moore, a long time resident of Palmyra, died at his home on or about December 10, 1936. He was a Civil War veteran and was former state and district commander of Nebraska G.A. R. He was the last member of Mansfield Post No. 54, G. A. R. at Palmyra. From 1919 to 1929 he was commandant of the Soldiers' and Sailors' Home at Milford and for eight years served as deputy United States marshal at Omaha. He was an indefatigable worker and unselfishly devoted a large part of his life as a public servant.

Samuel J. Rothwell

Samuel J. Rothwell came to Nebraska from Rhode Island at the age of twenty-five and bought a small ranch near Creighton. Later he and his brother, James, handled thousands of cattle and at one time he was one of Nebraska's leading cattlemen. He moved to Omaha in 1898 and was in the real estate and investment business there. He was a member of the Senate during the session of 1933 and was an outstanding member of that body. He had the courage of his convictions and was eminently fair in all of his dealings with his fellow men. He died December 23, 1936.

T. L. Jones

T. L. Jones was a member of the House of Representatives during the session of 1911 and was one of a group of legislators who went to Omaha in 1913 to consider emergency relief appropriations after a tornado had swept that city. He was engaged in the mercantile and live stock business at Hendley for twenty-five years before moving to Omaha in 1915. He was one of the oldest Masons in the state at the time of his death on or about January 6, 1937. His life was characterized by leadership and faithful adherence to high ideals.

W. G. Hastings

W. G. Hastings was admitted to the bar in Pleasant Hill, (near Crete) Nebraska in 1877. He was county attorney and later district judge at Wilber, Nebraska. He was a Supreme Court commissioner in Lincoln from 1901 to 1904. He was dean of The University of Nebraska law school for twelve years, and, during the World War, served as acting Chancellor of the University. Later he retired and practiced law in Omaha and served as district judge there from 1924 to the time of his death on January 9, 1937. He was regarded as one of the outstanding jurists in the state and was greatly beloved by his colleagues and friends. He was a member of the Senate during the session of 1885.

Paul Bruveleit

Paul Bruveleit was killed in an automobile accident on or about June 1, 1937. A member of the House of Representatives during the sessions of 1931 and 1933, he was county judge of Stanton County at the time of his death. His sudden death cut short a very promising career and was a distinct shock to his many friends throughout the state.

George W. Tibbets

George W. Tibbets was a pioneer Hastings attorney, having moved to Hastings in 1886 from New York state. He was a former member of the Nebraska Supreme Court commission and was widely known throughout the state as an outstanding member of the bar. He was a member of the Senate during the sessions of 1909 and 1911 and was courageous and enthusiastic in lending his support to worthy members throughout his career as a legislator. He died on or about August 31, 1937.

J. C. F. McKesson

J. C. F. McKesson, one of the earliest residents of Lincoln, died at his home on or about September 19, 1937, following a long illness. He was a resident of Lancaster county for seventy years and was a farmer and later a land examiner for the Security Investment Company. He was a leader of Lancaster county republican affairs and served with distinction as a member of the House of Representatives in 1891 and 1893 and as a member of the Senate in 1895 and 1907. He was possessed of a keen knowledge of political strategy and his counsel was often sought by party chieftains.

Walter S. Jardine

Walter S. Jardine moved to Omaha in 1868 from Pennsylvania and began draying with a team and wagon when quite young. Before many years he had seventy wagons and employed one hundred and twenty-five men and became one of the group of about twenty men under the leadership of the late W. A. Paxton who built Omaha by drive and main strength. He was a fanatical booster for Omaha and unstintingly devoted his time and money to civic affairs. He was a member of the House of Representatives in 1931. His great civic enterprise and unselfish devotion to public service won innumerable friends for him and his death on October 19, 1937 was a great loss to his community.

Joshua A. Lord

Joshua A. Lord, a banker in Richardson county for many years, passed away at his home in Falls City on October 20, 1937. He was formerly Richardson county treasurer and lived in the county sixty-seven years. He was a member of the House of Representatives during the 1905 session. As a citizen in private life he was held in highest esteem by his friends in Richardson county.

Don Thompson

Don Thompson was a prominent farmer and live stock raiser in Red Willow county for a number of years. He was a member of the House of Representatives during the session of 1935 and served his constituents with honor and credit. His hobby was baseball. With others he reorganized the Nebraska State League, now known as the Western League. He died at his farm home near McCook on or about December 11, 1937.

A. R. Humphrey

A. R. Humphrey, a long time resident of Broken Bow, Nebraska, died at his son's home in Fort Collins, Colorado, on or about December 12, 1937, after a two weeks' illness. He represented the Sixth (old) District of Nebraska in the House of Representatives of the Sixty-seventh Congress and was commissioner of public lands and buildings for Nebraska from 1891 to 1895. He was a member of the House of representatives during the 1935 session and will be long remembered for his valued services as a public servant.

B. E. Sturdevant

B. E. Sturdevant, a resident of Atkinson for thirty-five years, was in the merchandising and real estate business in that city during most of his active life. He served several terms as mayor of his home town and was registrar of the federal land office at O'Neill for nine years. He was a member of the lower house in the sessions of 1919 and 1921 and the state senate in 1923. His death on or about January 11, 1938, was very sudden. He was courageous, zealous and enthusiastic in lending his support to every measure for the public good throughout his career as a legislator.

Dr. Thomas J. Lawson

Dr. Thomas J. Lawson was a native of Canada and a graduate of Toronto medical college. He moved to Long Pine, Nebraska, in 1909 and practiced medicine there for many years. In 1928 his old patients brought him from retirement into his old practice again. He served as a member of the lower house in 1925. He was recognized as a physician of high standing in his profession and as a public servant. He enjoyed the things that endured. He died on or about January 24, 1938.

John F. Cordeal

John F. Cordeal, who served his constituents as a member of the Senate during three sessions, in 1911, 1913 and 1919, from McCook, Nebraska, died on February 6, 1938. He was a prominent Nebraska attorney and was the oldest attorney in McCook in both years of residence and service. At the time of his death Cordeal was busy writing a pioneer history of McCook. He was active in civic affairs, holding many important positions and enjoyed the confidence and respect of his home community and the state at large.

Frank C. Rundle

Frank C. Rundle, who was a member of the lower house during the sessions of 1925, 1927 and 1929, passed away at his home at Aurora on or about February 10, 1938. He was deputy sheriff of Hamilton county. He was known for his honesty and integrity and represented his constituents in the Legislature without thought for selfgain.

Samuel G. Hoff

Samuel G. Hoff, a member of the House of Representatives during the session of 1913, died suddenly at Deming, New Mexico, on or about March 4, 1938. He served his constituents with fidelity and honor.

John E. Miller

John E. Miller came to Lincoln in 1879 from Claylick, Pennsylvania. He started in the general mercantile business and in 1902 the business was incorporated as the firm of Miller and Paine. Mayor of Lincoln from 1917 to 1921, a regent of The University of Nebraska from 1914 to 1920, a past president of the Chamber of Commerce and the Y. M. C. A., Mr. Miller served in the Senate during the session of 1909. A quiet man, with deep convictions and steadfast principles, he exhibited early in life the qualities that brought him success and honor in later years. His death on March 14, 1938, was a great loss to his community and to the entire state.

George L. Smith

George L. Smith, ninety-two, a veteran of the Civil War and a member of the House of Representatives during the session of 1899 died at Ulysses, Nebraska, March 18, 1938. He came to Nebraska right after the Civil War and homesteaded near Ulysses. He will be remembered as a man who possessed rare legislative judgment and political sincerity.

Hugh A. Myers

Hugh A. Myers, president of the Omaha Bar Association in 1922 and a practicing attorney there since 1895, died on or about March 17, 1938. He had been critically ill a week, following formation of a blood clot on the brain. He was a member of the lower house during the session of 1899. He was a brilliant advocate, and was endowed with natural characteristics which made him a personality never to be forgotten by those who knew him.

Rev. George A. Wash

Rev. George A. Wash, one of the oldest retired ministers in the Nebraska Methodist conference, died on or about March 21, 1938.

He did not study for the ministry until rather late in life, entering Garret Biblical Institute when nearly fifty years of age, graduating from that institution in 1911. He was chaplain of the House of Representatives during the session of 1935. He possessed that immortal spirit that death cannot take away nor destroy.

George A. Felton

George A. Felton, prominent Nebraska stockman, died at his home at Clay Center on March 25, 1938. Mr. Felton rendered distinguished and honorable service to his county and state as a member of the House of Representatives during the sessions of 1891 and 1893.

Albert M. Keyes

Albert M. Keyes was in the banking business at Holbrook for thirty years and at one time was Furnas county attorney. He served as a member of the lower house during the sessions of 1923 and 1925, serving his constituents honestly and fearlessly. He died on April 23, 1938, at Fayetteville, New York.

Erle Smiley

Erle Smiley was born near Beaver Crossing and lived in Seward county all of his life. He was an internationally known poultry judge and was secretary of the National Poultry Association. He was president of the Nebraska Poultrymen's Association for several years and had been appointed to the legislative council and executive committee of the World Poultry Congress to be held in 1939. He passed away at his home in Seward on May 5, 1938. He was a member of the House of Representatives during the 1923 session and performed his duty as a legislator with sincerity and devotion to the public interest.

Rev. Frank Mills

Rev. Frank Mills, pastor of the Union church in College View and a resident of Lincoln for more than thirty years, died at his home on or about July 18, 1938. He had been a member of the board of education for seven years, was a member of the Chamber of Commerce and had been identified with fire insurance companies in Lincoln. He was a member of the House of Representatives in 1917 and also served as chaplain. He was always loyal and faithful to his trust as a public servant.

Harry G. Taylor

Harry G. Taylor was born in Saline county near Wilber and devoted the early part of his life to the newspaper publishing business. He was a member of the lower house in 1911. He served on the Nebraska State Railway Commission from 1913 to 1927 and was once chosen president of the National Association of Railway and Utility Commissioners. He resigned from the State Railway Commission in 1927 to become publicity manager for the American Railway Association and in 1932 became Chairman of the Western Association of Railway Executives, which post he held until the time of his death in Chicago on August 20, 1938. His death was a matter of very keen regret to the thousands of Nebraskans who knew him and who had a high regard for him both as a man and as a public servant.

Clarence L. France

Clarence L. France, prominent resident of Syracuse for sixty years, died on September 9, 1938. He was a member of the lower house during the session of 1907 and served his constituents with honor and distinction.

Col. C. L. Alexander

Col. C. L. Alexander, veteran of the Civil War, died at Biloxi, Mississippi at the veterans' administration facility on or about November 14, 1938. He was a native of Leesville, Indiana and after the war drove a stagecoach in Iowa and Nebraska. He served as colonel on the staff of three governors of Nebraska. He was a member of the Senate in 1899 and was an able and fearless legislator.

John Canfield

John Canfield, widely known throughout Nebraska and a resident of Tekamah since 1870, died at his home on November 20, 1938. He was a member of the lower house in 1935 and later was postmaster of the Legislature. He will long be remembered for the valuable services he contributed as a public servant.

E. P. Cromer

E. P. Cromer was a pioneer settler of Gering and the first teacher in the Gering schools. He passed away in Omaha on December 13, 1938 following an operation. He was a member of the lower house during the sessions of 1931, 1933 and 1935. He was responsible for much constructive legislation during his long period of service and held the respect of his colleagues in both parties who admired his sincerity and liked him for his unassuming personal qualities.

I. A. Sheridan

I. A. Sheridan was a member of the House of Representatives in 1893. He was a cousin of General P. H. Sheridan of Civil War fame and one of the oldest veterans of the Spanish-American War, residing in Kansas. He was recognized as a fine leader. He died at Coffeyville, Kansas on or about February 17, 1939.

Herman F. Beckman

Herman F. Beckman was born in Seward county in 1873 and attended Lincoln High School and The University of Nebraska. He was a farmer and a member of the House of Representatives in 1921. He was an able and vigorous legislator and was held in high esteem by his associates both in public and private life. He died at his home near Tamora on March 24, 1939.

William G. J. Dau

William G. J. Dau was born on December 24, 1868, in Hollstein, Germany and came to Nebraska in 1872. He was educated in the public schools of Fremont and Dodge county. He was mayor of Hooper for several years during a period when the town gained nation-wide acclaim as the "crimeless town". He was a member of the House of Representatives in 1915 and 1917. He gave his time generously to public affairs and was an outstanding legislator. He died on or about June 17, 1935.

Othman A. Abbott, Sr.

Othman A. Abbott, Sr. was born at Hatley, Quebec, Canada, on September 19, 1842. At an early age, his parents moved to Illinois and when the Civil War began, Abbott enlisted and served with valor, being wounded several times. He was admitted to the bar in Illinois after the war and later moved to Grand Island. He was one of the pioneers who led the fight for statehood for Nebraska. He was the first lieutenant governor of the state of Nebraska and also served in the first and second constitutional conventions. He was a member of the Senate during the session of 1872. He was an outstanding citizen of the state of Nebraska and his entire life was spent in service to the land of his adoption. He passed away on June 24, 1935.

Joseph W. Whitham

Joseph W. Whitham, member of the lower house during the 1905 and 1907 sessions, died on or about July 31, 1935. He was a county commissioner of Johnson county for forty years. His death brought great sorrow to his many friends throughout Nebraska.

William Fenton

William Fenton died at his home in Omaha on or about August 27, 1935. He was a member of the House of Representatives during the sessions of 1887 and 1889, and was an official of Richardson county for several years. As a legislator he was earnest and sincere, endeavoring to foster and protect such legislation as was for the best interests of his community and the state at large.

William W. Young

William W. Young, member of the Senate in 1901, died at his home in Omaha on August 28, 1935. He practiced law in Stanton until 1914, when he moved to Omaha and helped found the North American Life Insurance Company there. He was an able legislator and worked for the best interest of his constituents at all times.

John A. Dietz

John A. Dietz was a member of the lower house in 1925 and 1927, and was active in Masonic lodge work. He was a member of the school board in Broken Bow for over thirty years. He died on September 11, 1935. As a legislator, he sponsored much constructive legislation.

Lewis L. Raymond

Lewis L. Raymond, prominent pioneer lawyer in western Nebraska, died of a heart ailment on September 29, 1935. He served as county judge, county superintendent of public instruction and county attorney of Scotts Bluff county and was a member of the Senate in 1909. As a legislator he introduced a bill which created in Scotts Bluff county the first state experimental farm.

Lewis C. Rudisell

Lewis C. Rudisell, member of the lower house in 1913 and 1915, died on or about October 9, 1935. He came to Nebraska in 1901 and with John H. Morehead, later governor of Nebraska, as partner bought three thousand acres of land in Dundy county at an average of about $2.50 per acre. The partnership was dissolved in 1909. He served his constituents honestly and ably.

John T. Bressler

John T. Bressler was born on January 14, 1849 in Pennsylvania and came to Nebraska in 1870, walking from West Point to his homestead in Wayne county. He organized the first bank in Wayne county, served as mayor of Wayne, was on the school board and was county treasurer. He was named by President McKinley as government director of the Union Pacific railroad in 1897 and was also active in several governmental positions during the World War. He was a member of the Senate in 1895. He gave his time unselfishly to public service. He died on October 23, 1935.

George E. Tracewell

George E. Tracewell was born in Cedar county, Iowa on March 7, 1859. He came to Nebraska in 1886 and located at Valentine. He was mayor of Valentine for several terms. As a member of the Legislature during the sessions of 1917, 1919 and 1929, he sponsored the bills providing for the construction of the present State Capitol and appropriating funds therefor. He was almost blind and it was a strange contradiction of life that he sponsored and devoted all of his energies and time to the passage of the bills making possible one of America's most beautiful buildings. He was a rugged, splendid type of citizen and had the respect and admiration of all who knew him. He died on or about November 20, 1935.

John A. Amsberry

John A. Amsberry, member of the lower house in 1929, died at his home at Mason City on December 3, 1935. He was an early day homesteader and a resident of Custer county for more than fifty years. For many years he and his son were well known as breeders of Angus cattle. He was a fine example of the honest and stalwart pioneers who helped build the state of Nebraska.

J. P. O'Furey

J. P. O'Furey came to Nebraska in 1915 and located at Hartington. He edited and published the Cedar County News at Hartington for twenty-two years and was past president of both the Nebraska

Press Association and the National Editorial Association. He was very active in civic and state affairs and was a member of the Senate in 1933. He died on August 15, 1937 of chronic heart disease after an illness of six weeks. His death was a great shock to his many friends in northeast Nebraska.

Dr. W. R. Talboy

Dr. W. R. Talboy died on or about September 7, 1937. He practiced medicine at Newcastle more than forty years, served as mayor of Newcastle, member of the school board for twenty-five years, and coroner of Dixon county. He was a member of the lower house in 1925 and served his constituents with honor and distinction.

John G. Boelts

John G. Boelts was a member of the House of Representatives during the sessions of 1909 and 1931 and a member of the Senate during the session of 1933. He was a farmer and lived in Merrick county all of his life. He was droll and resourceful in debate and made a fine record as an outstanding legislator. He died on or about September 14, 1937.

Cyrus H. Lee

Cyrus H. Lee, member of the House of Representatives in 1885, died on or about October 9, 1937. Coming to Nebraska in 1871, he settled at Silvercreek where he operated a general store and served as postmaster. He will be remembered for his integrity and sense of duty.

George Landgren

George Landgren died on or about December 27, 1937. He moved to Nebraska from Illinois in 1902 and began farming near Shickley. He lived in Fillmore county over forty years and was former Fillmore county judge and county attorney. He was a member of the lower house in 1925 and 1927 and represented his district faithfully and well.

Charles A. Randall

Charles A. Randall, member of the Senate in 1907 and 1909, died on January 11, 1938 at his home in Lincoln after a heart attack. He was born in New York state and received his education there. He came to Nebraska in 1881 engaging in stock raising and dairying at Fremont. He later moved to Newman Grove where he operated a hardware store and founded the bank there and was its president for twenty years. He was state fire marshal from 1911 to 1913 and served on the state railway commission from 1922 to 1935. He was very active in fraternal circles. He unselfishly dedicated the greater part of his life to public service.

Earl Hilliard

Earl Hilliard, member of the lower house in 1921, died on or about February 3, 1938. He was a prominent Keith county farmer and active in stock raising circles. He had a fine record as a legislator and was well liked by his fellow members in the House of Representatives.

Henry Bock

Henry Bock of David City died at an Omaha hospital on June 30, 1938 after a long illness. He was a leading farmer in Butler county, specializing in blooded live stock. He was a member of the House of Representatives during the sessions of 1921, 1923, 1925, 1933 and 1935. During his long legislative career he was especially active in the enactment of agricultural legislation. As a member of the Special Unicameral Committee in 1935, he was highly instrumental in formulating present legislation establishing the Unicameral legislature. He was the father of the present free high school tuition law.

Charles A. Goss

Charles A. Goss was born at Edinburg, Portage county, Ohio, on December 10, 1863. He came to Nebraska in 1886 and practiced law in Omaha from 1887 to 1920. He was a member of the lower house in 1893, was United States district attorney for Nebraska from 1905 to 1910 and was a district judge from 1920 to 1926. He was Chief Justice of the Supreme Court of Nebraska from 1927 to the time of his death on August 13, 1938. He was an outstanding jurist and widely known for the clarity and sound reasoning of his legal opinions. He will be long remembered as an honest, kindly, courageous Christian gentleman. Chief Justice Goss, when reminiscing with friends and acquaintances during his later years, never failed to call attention to his experience as a legislator in 1893 which he said made it possible to be a better public servant and an understanding judge.

August H. Biermann

August H. Biermann, member of the House of Representatives during the 1935 session, died on January 3, 1936. He was born in

Wayne county and was a graduate of the College of Agriculture of The University of Nebraska. He was a farmer and specialized in seed growing. As a legislator he was conscientious and hard working and had a fine record of constructive legislation.

M. L. Dowell

M. L. Dowell was born in Beechville, Kentucky in 1865 and came to Nebraska in 1883. He was a retail merchant in Salem from 1893 to 1925 and was a bank president and stock raiser. He was chairman of the village board of Salem for fifteen years. He was a member of the lower house in 1933 and 1935 and was highly respected by his fellow members. His conduct as a legislator marked him as a man of honor, integrity and ability. He died on July 13, 1936.

Edwin T. Osterman

Edwin T. Osterman was born at Fremont on March 21, 1881 and attended the public schools there. He was a farmer and was justice of the peace and member of the school board at Central City. He was a member of the House of Representatives during the session of 1935. He took great interest in his legislative work and put forth much effort and time upon the measures he felt were worthy. He died on February 28, 1938.

WHEREAS, it is the desire of this body to render tribute to the memories of our departed friends and distinguished colleagues of other sessions, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That, when we consider the records made by our predecessors, who, at different times, have sat as members of the Nebraska State Legislature, — we are fully persuaded that their deeds and accomplishments have left a lasting mark upon our entire state; that they did their legislative tasks well; that their public service as legislators was distinguished by faithfulness and honor; that they guarded zealously their oaths of office, and, in sincerity of action first analyzed and then gave their votes for or against each measure as the welfare and happiness of the greatest number of all persons that resided in their respective districts, in their best judgment, seemed proper; that they gained no high titles nor ill gotten wealth, but true to the citizens whom they served, they built for the state which we all love—no higher tribute can we pay to these departed members, whom we pause to honor today.

2. That the Clerk of the Legislature be directed to spread at large upon the Legislative Journal, this resolution; and, that a copy of said resolution, properly authenticated and suitably engrossed, be, by said clerk, sent to each of the bereaved families of the deceased members of the Nebraska Legislature, above named, as an expression of our reverence to their memories.

Special Committee on Memorial Resolutions

(Signed) Harry E. Gantz, Chairman
M. E. Westley
Sam Klaver
Swan Carlson
Frank Sorrell

Mr. Gantz moved that the rules be suspended and the resolution adopted.

The motion prevailed with 32 ayes, no nays, 11 not voting.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 517. (With emergency clause)

A bill for an Act to make appropriations for the payment of claims filed against the state of Nebraska in the office of the auditor of public accounts, not heretofore paid, and for which no appropriation has been made; to make appropriations for the payment of miscellaneous claims presented to the Legislature for which no appropriations have been made; to provide the manner in which certain moneys so appropriated shall be paid and expended; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 33:

Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Mischke
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 10:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Lambert
Mekota
Miller
Mueller
Murphy

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 519. (With emergency clause)

A bill for an Act to provide for a revolving fund to supplement the State Assistance Fund of the state of Nebraska to effect the more punctual administration of the assistance laws of said state; specifically to appropriate from the general fund of the state of Nebraska the sum of four hundred thousand dollars for the uses and purposes of said revolving fund; to provide for repayment to the general fund of said state for the sum so appropriated; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Mischke
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 7:

Adams, E. A.
Craven
Lambert
Mekota
Miller
Mueller
Murphy

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—To Make Special Order of Business

Mr. President: I move that L. B. No. 235 be made special order of business on May 19th at 10:00 a. m. Craven.

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL NO. 106. Passed over.

LEGISLATIVE BILL NO. 491. E and R amendments as found in the Legislative Journal for the Ninety-third Day were adopted.

Mr. Schultz offered the following amendments, which were adopted by unanimous consent:

Line 37, printed bill, following the word "district", insert the following: "or by correspondence instruction for such children as may be physically incapacitated for traveling to or attending other schools, with the permission of the parent and on the approval of the county superintendent."

Strike general file amendments to L. B. 491, page 1060, 91st Legislative day, and insert instead, Line 17, following the word "provide," "correspondence instruction for such children as may be physically incapacitated for traveling to or attending other schools, with the permission of the parent and on the approval of the county superintendent, or to provide".

Amend title to conform with amendments adopted on Select File, May 18th.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 390. The amendments offered by Mr. Diers on the Ninety-third Day were adopted unamimuosly.

Laid over.

LEGISLATIVE BILL NO. 107. Mr. Carlson moved that the bill be committed to General File for the following Specific amendments:

1. Amend the original bill, page ———, Section 1, line ——— (the printed bill, page 1, Section 1, line 15) by inserting after the word "district" therein the following:

": Provided, if said school district treasurer be a treasurer of a school district organized and functioning under the provisions of Article 3, Chapter 79, Compiled Statutes of Nebraska, 1929, as amended, the official bond of said treasurer may be a bond executed by two or more resident freeholders, if a majority of the persons eligible to vote on the question shall so vote thereon at the annual meeting of any such school district; and provided further, if personal sureties be authorized by the voters at the annual school meeting, as aforesaid, the treasurer shall thereafter file the affidavit of qualifications and justification, as required in Section 79-404, Compiled Statutes of Nebraska, 1929, as amended by Section 2, Legislative Bill No. 107, Fifty-third Session, Nebraska State Legislature, 1939".

2. Amend the original bill, page ...., Section 2, line .... (the printed bill, page 2, Section 2, line 12) by striking therefrom the punctuation and words "; such bond" after the word **"district"** therein and by inserting in lieu thereof the following:

": Provided, if the school district treasurer in any school district organized and functioning under Article 3, Chapter 79, Compiled Statutes of Nebraska, 1929, as amended, be authorized to execute a bond with personal sureties, as provided in Section 12-107, Compiled Statutes of Nebraska, 1929, as amended by Section 1, Legislative Bill No. 107, Fifty-third Session, Nebraska State Legislature, 1939, the treasurer of said school district shall forthwith file with the district board said bond, with the affidavit of qualifications and the justification of sureties thereon, in like manner as required of sureties under the terms and conditions of Sections 20-2223 and 20-2224, Compiled Statutes of Nebraska, 1929; and such bonds".

3. Amend the original bill, page ————, Section 3, line ———— (the printed bill, page 2, Section 3, line 3) by inserting after the word and punctuation **"surety,"** therein the following: **"the personal sureties,"**; and in line ———— of said Section 3 of the original bill (line 4 of said Section 3 of the printed bill) insert after the word and punctuation "otherwise," therein the following: **"as the case may be,"**

4. Amend the printed bill, page 2, Section 3, line 12, by striking "th" therein and by inserting in lieu thereof "the".

5. Amend the original bill, page 1, title (the printed bill, page 1, title) by striking all of said title commencing with the words "to provide" in line ———— of said title in the original bill (line 3 of said title in the printed bill) and by inserting in lieu thereof the following:

"to provide that all school district treasurers, except treasurers of school districts organized under Article 3, Chapter 79, Compiled Statutes of Nebraska, 1929, as amended, shall furnish bonds with corporate surety; to provide that treasurers of school districts organized under Article 3, Chapter 79, Compiled Statutes of Nebraska, 1929, may execute official bonds with two or more resident freeholders as sureties, if a majority of the persons eligible to vote at the annual school meeting so authorize; to prescribe conditions as to affidavit of qualifications and justification of said personal sureties; to provide that the premium on such corporate surety bonds shall be paid out of the general fund of the school district; to repeal said original sections; and to declare an emergency.".

The motion prevailed with 16 ayes, 8 nays, 19 not voting.

LEGISLATIVE BILL NO. 104. E and R amendments as found in the Legislative Journal for the Ninety-fourth Day were adopted.

Mr. Rossiter offered the following amendments, which were adopted by unanimous consent:

A. Amend the General File Amendments, May 11, 1939, mimeographed, Amendment 2, by striking all of lines 5 and 6 therein and by inserting in lieu thereof the following:

"; and that Sections 71-1805 and 71-1807, Compiled Statutes of Nebraska, 1929, are hereby repealed".

B. Amend the General File Amendments, (cited above). Amendment 4, by striking all of lines 4 and 5 therein and by inserting in lieu thereof the following:

"to repeal Sections 71-1805 and 71-1807, Compiled Statutes of Nebraska, 1929; ".

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 315. E and R amendments as found in the Legislative Journal for the Ninety-fourth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 410. E and R amendments as found in the Legislative Journal for the Ninety-fourth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 124. Laid over.

LEGISLATIVE BILL NO. 282. E and R amendments as found in the Legislative Journal for the Ninety-fourth Day were adopted.

Speaker Diers presiding.

Mr. Gross offered the following amendments, which were adopted by unanimous consent:

1. Amend the printed bill, page 7, by striking all of Section 20 therein and by inserting in lieu thereof the following:

"Sec. 20. That Sec. 81-107 (h), Comp. St. Supp., 1937, be amended to read as follows:

81-107 (h). Under ~~the Department of Agriculture and Inspection there shall be a bureau of Animal Husbandry, with the State Veterinarian in charge, subordinate to the Director of the Department of Agriculture and Inspection; and under~~ the Director of the Department of Insurance, there shall be a State Fire Marshal in charge, subordinate to the Director of the Department of Insurance. In the Department of Public Welfare, the Bureau of Examining Boards shall be under the supervision of the Department of Health, under which shall be included as a division of said Bureau of Examining Boards the practice of Barbering and the practice of Cosmetology."

2. Amend the printed bill, page 7, Section 22, by inserting immediately after the word and punctuation "repealed." in line 5 therein the following:

"Whenever the words "Department of Agriculture", "Department of Agriculture and Inspection", "Department", or "Bureau of Animal Husbandry" appear in Article 9, Chapter 54, Compiled Statutes of Nebraska, 1929, or in Article 9, Chapter 54, Comp. St. Supp., 1937 said words or any combination of said words shall be construed to mean the "Nebraska Livestock Sanitary Board" established by the provisions of this Act.

Sec. 23. The provisions of this Act shall be deemed supplemental to and cumulative with existing laws relating to protection of health of domestic animals as set forth in Article 9, Compiled Statutes of Nebraska, 1929 and in Article 9, Chapter 54, Comp. St. Supp., 1937.

Sec. 24. That said original Sec. 81-107 (h), Comp. St. Supp., 1937, is hereby repealed."

3. Amend the printed bill, page 1, title, line 5 by inserting after the word and punctuation "animals;" therein the following:

"to provide that the provisions of this Act shall be deemed supplemental to and cumulative with existing laws relating to protection of health of domestic animals; to define the terms "Department of Agriculture", "Department of Agriculture and Inspection", "Department" and "Bureau of Animal Husbandry" as said terms appear in Article 9, Chapter 54, Compiled Statutes of Nebraska, 1929, and in Article 9, Chapter 54, Comp. St. Supp., 1937; to amend Sec. 81-107 (h), Comp. St. Supp., 1937; to repeal said original subsection; to provide validity and saving clauses;".

Mr. Mekota moved to indefinitely postpone.

The motion was lost with 12 ayes, 18 nays, 13 not voting.

Referred to E and R for engrossment.

STANDING COMMITTEE REPORT

Enrollment and Review

Correctly Enrolled

Legislative Bill No. 517. Legislative Bill No. 519.

(Signed) Craven, Chairman

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

Legislative Bill No. 517. Legislative Bill No. 519.

Statement for Journal

Mr. President: Had I been present when L. B. No. 74 was read the third time, I would have voted aye. (Signed) Sorrell.

Mr. Carsten presiding.

LEGISLATIVE BILL NO. 89. E and R amendments as found in the Legislative Journal for the Ninety-fourth Day were adopted.

Mr. Hall moved to refer to General File for the following specific amendment:

1. Amend the printed bill, page 5, Section 5, line 6, by inserting immediately after the word "repealed" therein the following: ": **Pro-**

vided, it is expressly understood that the provisions of the four preceding sections, or any of them, with respect to counties having a population of two hundred thousand inhabitants or more, shall not be in full force and take effect until the first Thursday after the first Tuesday in January, 1943, and that with respect to such counties they shall function in the same manner as now provided by law the same as if this repeal had not been made".

Mr. Tvrdik moved to indefinitely postpone.

The motion prevailed with 23 ayes, 7 nays, 13 not voting.

Recess

At 12:30 p. m. on motion by Mr. Lambert the Legislature recessed until 2:00 p. m.

After Recess

At 2:00 p. m. the Legislature reconvened with Speaker Diers presiding.

The roll was called and all members were present except Mr. Gutoski and except Messrs. Miller, Mueller and Murphy who were excused.

SELECT FILE

LEGISLATIVE BILL NO. 326. E and R amendments as found in the Legislative Journal for the Ninety-fifth Day were adopted.

Referred to E and R for engrossment.

MOTION—To Change Position on General File

Mr. President: I move that L. B. No. 505, L. B. No. 510, L. B. No. 504, L. B. No. 503 and L. B. No. 500 be placed on General File immediately following L. B. No. 392. (Signed) Hall.

A call of the House was ordered.

The call was raised.

The motion prevailed with 24 ayes, no nays, 19 not voting.

MOTION—To Change Position on General File

Mr. President: I move that L. B. No. 185 and L. B. No. 190 be placed at the head of General File. (Signed) Callan.

Substitute Motion

Mr. President: As a substitute, I move to take up bills on General File and listen to the message of the chairman of the Appropriations Committee. (Signed) Ashmore.

The substitute motion prevailed with 23 ayes, 10 nays, 10 not voting.

MOTION—That Chairman Read Report

Mr. President: I move that the Chairman of the Committee on Appropriations proceed to read his budget message. Thomas.

The motion prevailed.

Committee on Appropriations

Budget Message

Your Committee on Appropriations, after nearly four and a half months of hearings, investigations and deliberations, has completed its labors, and transmits herewith its budget recommendations.

Our task has been an exceedingly difficult one. At times it was a distinctly unpleasant one, entailing, as it did, the rejection of pleas of worthy agencies and institutions. We were confronted by the greatest need in the state's history, and this need found both recognition and sympathy in your Committee. At the same time we were faced by the fact that the state's ability to meet its needs with adequate appropriations has declined, while the needs themselves were increasing.

In accordance with this viewpoint your Committee has found it necessary to reduce expenditures below the previous biennial requirements, because when the people are hard up it naturally follows the government must be hard up, and therefore it is necessary to apply the same principles of economy that you and I practice in our business and our home. We sincerely urge every department of state government to cooperate in this reduction in order that we may again see our general fund solvent.

Your Committee is not unaware of the needs of the state's educational, charitable and penal institutions. Some of these may be in danger of having their efficiency impaired through continued operation upon restricted budgets. Nor has your Committee ignored the plight of the aged and the unfortunate. Yet it could not ignore the fact that since 1929 the assessed valuation of all taxable property in the state has declined approximately 35%, and the income of the people has declined proportionately. Our farms are understocked, and crop and marketing conditions remain unfavorable. Tax delinquency, as a result of declining ability to pay, has increased to an alarming extent. Due to a constantly increasing demand of the people for more and better governmental services, particularly in connection with social security and highways, the cost of the state government has practically doubled since 1929. But with the present property valuation and rate of tax collection, a given mill levy will yield only about 60% as much revenue as the same levy would have yielded in 1929. Much of the increasing cost of government is being met by means other than the property tax, such as federal aid, the gasoline tax, the liquor tax, etc. We submit, however, that these costs are ultimately chargeable to the income and resources of the people just as truly as if they were borne by the property tax. We must discontinue the practice of trying to live upon what we want rather than upon what we can afford.

Your Committee, throughout its deliberations, has been conscious of its responsibility to the people of Nebraska. That responsibility, as the Committee understands it, is a dual one. The state government and its institutions exist for the sole purpose of providing certain services which the people, themselves, demand. Therefore, the first duty of the Committee was to recommend appropriations sufficient to enable the maintenance of at least minimum standards of service. At the same time, the cost of maintaining the state government and its institutions must be met by the people themselves, as the state has no resources apart from those of its people. Thus the Committee's second duty—no less important than the first—was to keep the cost of government within the reasonable ability of the people to pay.

At times the two duties of the Committee were in direct conflict with each other. If it had acceded to all the worthy requests presented to it, it would have recommended a budget far larger than any previous one in the state's history. On the other hand, if it had been guided solely by the pleas for economy, some of the essential services of the state would have been seriously crippled. But it is impossible to increase appropriations to care for expanding needs, and still reduce total costs in proportion to taxpaying ability. The perfect legislature—one which can increase appropriations and reduce the tax burden at the same time—has not yet been found.

The Committee could not accomplish the impossible, but it has, to the best of its ability, given due consideration both to the needs of the state services for funds, and to the needs of the people for economy in government. The Committee believes that the time has arrived when those who are responsible for determining the policies of the state must be guided by what the state can **afford** to do, as well as by what it would like to do. In accordance with this belief the Committee has found it necessary to recommend a reduction of $1,979,583.16 in appropriations from tax funds, as compared with the appropriations for the previous biennium.

In our system of checks and balances each one of the three branches of government is expected to check the other two. Ultimately, however, the only effective check upon the excesses of governnment, whether in the spending of money or in the exercise of its authority in general, must come from an alert and independent citizen body. Therefore, it behooves the citizen, in his dealings with government, to become tax-conscious as well as service-conscious. He must be made to realize that when he demands a given service from the state, either he or his fellow citizen will have to pay for it, and that when one minority or pressure group is able to secure favored treatment for its interests, it will be at the expense of the public interest or of other minority groups.

Laws have been enacted conserving our natural resources, such as water, land, timber, oil, etc., but not one law has been enacted to help conserve the taxpayer by whom the ultimate cost is borne.

In making its recommendations for the state assistance program, the Committee not only recognizes, but emphasizes, the desirability of conserving the state's human resources as well as its natural resources; but in connection with the conservation of human resources it is respectfully submitted that more consideration should be given to the ordinary citizen—to the eighty to eighty-five percent of our people who are not recipients of public assistance, but who ultimately bear the cost of the public assistance program. Particularly we call attention to the plight of that portion of our people—and the number is large—who are living in extremely straitened circumstances, but who have managed to keep off the assistance rolls, and whose earnings, reduced though they are, go in part for the maintenance of the assistance program. Any additional burdens of government will inevitably operate to make life more precarious for this group.

The state, we believe, will not permit its unfortunates to suffer from cold and hunger, but there is a limit beyond which it cannot go in providing assistance. Our people are rapidly approaching the "ceiling" of their ability to support government. At the same time expenditures for public assistance and public welfare are still mounting. Many of the older services of government, such as education, law enforcement, and the administration of justice, are either standing still or going backward because of lack of adequate funds. Your Committee, therefore, calls attention to the danger confronting the state in the immediate future—that such a great part of its funds may go into assistance and welfare, that it may not be able to maintain its other essential services. We have already reached the point at which any further expansion of expenditures for humanitarian purposes will be at the expense of other services of the state and local governments.

The Committee, in presenting its recommendations, wishes especially to call attention to the continued deficit in the state's general fund. Deficit financing, as a temporary expedient, may be justified in time of crisis or catastrophe, but as a permanent policy it is indefensible. It is merely a means of deferring the costs of government, and not a means of reducing them. Frequently, in fact, deferred costs are even more burdensome when they finally have to be met than they would have been at the time of deferment.

In order that the fiscal operations of the state may be kept on a sound basis, and the state's reputation for sound financial policy be maintained, the Committee feels it to be imperative that the deficit in the general fund be liquidated as soon as possible.

At some points our recommendations are necessarily based upon estimates. One difficulty in budget-making arises from the fact that the state's expenditures, in many phases of its operations, depend upon unpredictable contingencies. For example, the state, through its Board of Control, carries on extensive farming and dairying operations. If conditions are favorable, the fruit, vegetables, meat, poultry, eggs, milk, butter, etc., produced will materially lessen the cost of the upkeep of the state institutions. Conversely, if agricultural conditions are unfavorable the cost of upkeep will be increased. In connection with these operations the state owns some 1,200 head of cattle and a great deal of other livestock. If the state is able to produce most of the feed for its stock, its expenditure for this item will be reduced. If its feed crops are light, its expenditures will be heavier. Furthermore, feed prices are subject to great fluctuation. Whether hay sells at $6.00 a ton, or $16.00, will materially affect the Board's budget. Similarly with many other branches of state administration. The volume of work, and thus the necessary expenditure, may expand or contract with weather, crop, and general economic conditions.

For the reasons just named, it is impossible to estimate accurately the needs of all expending agencies. So far as possible we have limited appropriations and the manner and purpose of expenditure in such a way as to prevent extravagance and maladministration. Nevertheless, it is always necessary to leave some things to the prudence of the expending agencies themselves. There is a well known tendency on the part of some agencies to spend all the money placed at their disposal, whether needed or not. On the other hand, some agencies have demonstrated the possibility of keeping below their estimates, so as to have an unexpended balance at the end of the biennium. We heartily commend the latter practice to the expending agencies. Any department which spends less than the amount appropriated to it, without impairing its efficiency, will have performed a distinct service to the state.

The very foundation of our state government rests upon the system of private enterprise, the right of every citizen to labor in his own interests. The support of the state must come from the earnings of our citizens through their own industry and thrift. The sooner we realize that the state itself has no wealth excepting the wealth of its individual citizens, that the state has no money to pay its bills excepting such as comes through taxation of our citizens, the sooner we will come to realize the disaster of continuing the deficit in our state fund.

The waste in government is traceable to the fact that bad systems are at the root of many of our governmental evils. With a good system, even an ordinary man can do effective work; but a bad system will tend to discourage even a good man. That criticism strikes directly at the state, the county, and the municipal government. A bad system may actually tempt men to be dishonest. We should not lend ourselves to criticizing public officials until we have first corrected the system. If we correct the system, automatically it will correct the individual.

Board of Control of State Institutions

Last session the legislature appropriated $515,000.00 to the new buildings and equipment fund, and during the present session we have appropriated to the same fund, from unexpended balances, $132,497.00, making a total of $647,497.00 available for the building program which is now in process of completion. Before the last session ended, an application for PWA grants for these projects was submitted to Washington, and after the session ended, the Board of Control resubmitted its program, including small items of special construction that were recommended by the Appropriations Committee and approved by the legislature. After a great deal of delay the projects were approved on September 12, 1938, and the following construction program is now underway:

Hastings State Hospital

Ward building, 330 beds.

Hospital for Tuberculous

Men's treatment building, 76 beds.

Administration and medical surgery building, 30 beds.

Power house.

Norfolk State Hospital

Ward building, 80 beds.

Employees' building, 52 beds.

Lincoln State Hospital

Ward building, 330 beds.

Institution for Feeble Minded

Girls' dormitory, 330 beds.

The ward building at the Hastings State Hospital is nearing completion, and will be ready for occupancy within a very short time. Construction has started on all of the other buildings, and will be completed during the current calendar year. With the completion of the ward buildings at the three state hospitals they will have an additional capacity of 740 beds, relieving the crowded conditions in all three institutions. There will then be available 395 unoccupied beds, so that, for the first time in many years, the mental hospitals will be able to take care of their waiting list without crowding.

Your Committee recommends that the old center building at Hastings be continued for at least the next two years, as we do not believe this building should be abandoned at this time. The space is needed, and we do not feel that the financial conditions of the state warrant the authorization of a new building. We do, however, recommend to the Board of Control that, if other room is available, the fourth floor be evacuated.

During the last session an appropriation was made for the buying of new medical equipment for the treatment of patients in the hospitals for the insane. The use of metrozol and insulin has become a regular treatment, with very encouraging results. Fever-therapy has been introduced and is now past the experimental stage. At the present time the state owns two fever machines, and has contracted for the rental of two additional ones. Hydrotherapy has been expanded and placed in common use in two of our hospitals for the insane, and plans are now being made to start it in the third. Occupational therapy has also been very greatly increased in each of the hospitals, and its value has been definitely proven. Through these modern treatments the time required for the rehabilitation of patients has been materially shortened.

The Board of Control has made arrangements for the creation of consulting staffs of members of the medical profession not connected with the institutions. These staffs are composed of specialists in the various branches of medicine, such as eye, ear, nose and throat, general and special surgery, neurology, etc. This will serve to bring to our institutions the most improved treatment in all of the specialties, and the institutional physicians will be able to demonstrate to the outside medical profession the latest developments in psychiatric treatment. Your Committee was privileged to witness a number of these new treatments, and was very favorably impressed by the results that are being achieved, and it is our belief that with the modern treatment and practices, many institutional cases, if taken in time, can be returned to society instead of becoming permanent charges of the state. Necessarily the cost must increase for a short period of time, as doctors and nurses must be in constant attendance while the treatment is being carried on. We feel that the increase is justified by the cases of successful rehabilitation that were pointed out to us by the superintendents of these institutions.

With the completion of the new buildings at the Hospital for the Tuberculous, much more thorough treatment of the disease will be given, and the patients will be able to remain long enough to derive more lasting benefits from their treatments. At present the institution is so crowded that patients are necessarily discharged sooner than they should be, and in many cases they have to return because the length of the first treatment was not sufficient.

With the completion of the ward building at the Institution for the Feeble-Minded, and with the reconstruction of the open porches on one of the old buildings, capacity will be increased by 420 beds. This will bring into the institution many cases that are very difficult to handle, but which have thus far been held in their own counties because of insufficient room at the institution. We are convinced that the state is making every effort to give adequate care to its wards, despite the distressing financial conditions that now prevail. Additional room in the insane hospitals should not be required for some years to come, as the new building program should take care of the many needs.

Your Committee recommended the closing of the branch institution of the Soldiers and Sailors Home at Milford for the period of two years, transferring the members to the Grand Island home, where there is adequate room and better facilities. The legislature has now approved the transferring of the members to Grand Island, and the closing of this institution will effect a saving of $100,263.00 covered by the request of the Board of Control under the plan for the coming biennium.

Your Committee feels that this room will not be needed during the next two-year period for senile cases, as the new buildings with the additional 740 beds will take care of the demand adequately. If these buildings were converted in any way for purposes other than the use of the Soldiers Home, it would be necessary, if the demand increased for additional room above that provided at Grand Island, to construct new buildings; therefore, we recommend that a caretaker be placed in charge of these buildings for the next two-year period, leaving the disposition of this property for the consideration of the next legislature.

At the last session we authorized the Board of Control to use the old Genoa Indian School as a penal farm. At that time it was felt that this conversion would serve a two-fold purpose of added facilities for the rehabilitation of certain classes of inmates in our penal institution, as well as economy. We regret to report that while the first purpose is being adequately served, we have found that the institution has not proved to be an economy to the state. An analysis of the cost shows that the returns from the farms and industries have not been very encouraging. We also realize that weather conditions have been very unfavorable during these two years, and that perhaps this picture can change if we have good crop years, and a lot of vegetables, etc., can be raised for the benefit of the other institutions. However, we wish to point out that at the time this institution was opened there was a very crowded condition at our state penitentiary, which unquestionably would soon have called for an additional building program at that institution. With the use of the Genoa State Farm this crowded condition at the state penitentiary does not exist, and the problem of working the remaining men has been reduced. We feel that the Board of Control should maintain this institution as it now exists, for two more years as a trial period, and at the next session of the legislature a very careful study should be made as to the success or failure of this plan, and decide whether it should be continued or abandoned for this purpose. During this two-year period we recommend that the Board make no permanent major changes in the physical plant at this institution.

The policy of the State Industrial School at Kearney has been definitely changed during this biennium from one of regimentation to that of individual treatment for each boy. A four-year vocational high school has been established at this institution, and the Board has been assured by the office of the State Superintendent of Public Instruction that its high school will be recommended for accreditment, so that the boys graduating will have the same credits as those from any other high school in the state.

State Penitentiary

The Board of Control requested an appropriation of $60,000.00 for construction items to increase security and safety at the penitentiary, which were to include a fence around the front of the institution, waiting room outside of the fence, lighting fence and wall, relocating the highway, changing transformers from the inside of the penitentiary to the outside, building steam tunnels for the carrying of the exposed steam pipes, and to conceal all wiring from possible tampering.

Your Committee gave this very careful consideration, and, learning from the Highway Department that No. 77 was to be rerouted parallel to the railroad tracks running northwest to 9th Street, which included construction both in the county and in the Lincoln city limits, it occurred to the Committee that this was an advantage to both the county and the city of Lincoln, and that the improvements to be made at the penitentiary would, in a way, be added improvements to the city and county. Therefore, we felt that the Lancaster County Board might be willing to assist in the construction of the new road across the state land caused by the abandoning of the road in front of the penitentiary. After having a meeting with the Lancaster County Board and the state engineer, the County Board agreed to construct this half-mile of new road without cost to the state, which effected a saving of $14,500.00.

Your Committee is very appreciative of the fine cooperation from the Lancaster County Board in the construction of this half-mile of new road, and we now have been able to reduce the specific appropriation, through additional economies, from $60,000.00 to $35,500.00.

Your Committee feels that this expenditure is justified as it will eliminate a very serious hazard, and will give the Warden a much better opportunity to protect the institution from outside influences.

We recommend to the Board of Control that it guard very carefully against too much centralization of all its work in the central office, as we do not believe the state institutions can be operated from the State Capitol Building, but that every possible responsibility should be placed in the hands of the superintendents of the different institutions.

State Assistance

The adequacy of funds to meet relief needs will not be entirely determined by the funds available for that purpose, but by the honesty and efficiency of the administration of the program.

There are three factors that will materially affect the assistance program, namely, general economic conditions, relief policies of the national government, and administration of the program. Your Committee cannot predict with any certainty future economic conditions or policies of national relief. We must be guided solely by past experience. Therefore, we have used the budget request of the Director of Assistance, which is based on the month of February, 1939. This has been the peak load for the present biennium, allocated upon the following basis:

Old age recipients	$4,927,680.00
Aid to dependent children	1,904,236.80
Blind assistance	137,125.32
State administration, county administration, certification and surplus commodities, etc.	1,257,000.00
Total	$8,226,042.12

Department of Roads and Irrigation

The principal sources of income for the Department of Roads and Irrigation are federal funds, gasoline tax funds, automobile registration fees, and motor vehicle fees.

Your Committee has recommended a new grouping of the highway funds by including the following items under one total fund, designated "Highway Cash Fund":

Salaries and wages from gas tax, 3% of the total construction fund, estimated in the amount of	$ 315,000.00
Maintenance from gas tax, .9% of total construction, estimated in the amount of	95,000.00
Road maintenance, 30% of motor vehicle registration fees, estimated in the amount of	1,200,000.00
Road maintenance from gas tax, estimated in the amount of	5,200,000.00
Road construction from gas tax, all funds derived from gasoline tax not otherwise appropriated in the estimated amount of	5,240,000.00
Making a total of the estimated amount of	$ 12,050,000.00

And, likewise, we have grouped under one fund designated "Motor Vehicle Cash Fund" the following:

State highway administration, 3½% of motor vehicle registration fees, and all fees collected from foreign trucks and buses, estimated in the amount of	$ 140,000.00

Motor vehicle operator's license fund, estimated in the amount of	164,500.00
Highway safety and patrol administration, and enforcement of traffic control, estimated in the amount of	310,200.00
Making an estimated total of these funds, of $	614,700.00

In the above grouping the greatest advantage will come in the lessening of the amount of paper work, the writing of fewer vouchers, the transferring of less funds; thereby effecting greater economy and the reducing of personnel.

As a result of the passage of L. B. 235, which provides for an additional ½c of gasoline tax to be taken for the assistance program, the amount available for road purposes has been reduced approximately $4,400,000.00, half being state funds, and the other half federal. This is based upon the assumption that ½c gasoline tax will raise $2,200,000.00 in a two-year period. Federal matching is not exactly on a fifty-fifty basis for the reason that certain items such as right of way, preliminary engineering, preparation of plans, and incidental construction items, are not matched by the federal government. Thus the percentage of state funds to federal funds varies on individual jobs. It is our opinion that the average ratio would be approximately 53% state, and 47% federal, which becomes a rather material total sum when considered in ratio to the total amount expended for construction. It is a physical impossibility to anticipate all the factors that enter into the ability of the state to match federal aid over a two year period, in advance. The total amount of federal aid that we will be able to match will depend upon the amount of strictly state work that is necessary for the state to do, and will also depend upon the assistance that may be obtained from other federal agencies on roads that are not on the federal aid system, as well as other emergency economies that have already been instituted.

During the past five years, by taking advantage of improved methods, improved materials, and more efficient equipment, the Department of Roads and Irrigation has been able to take over from the counties 819 additional miles of highway for maintenance, while at the same time keeping the maintenance cost approximately the same. From the best obtainable information available in the Department of Roads and Irrigation, the state will be able to make use of a minimum of $3,900,000.00 of federal aid funds during the next biennium. At the end of this biennium there will be available approximately $1,175,000.00 of federal funds which the state has been unable to match for the lack of sufficient state funds. At the end of the next biennium, as nearly as can be estimated, there will be available approximately $2,650,000.00 of federal funds unmatched. As pointed out above, this will vary somewhat, depending upon the amount of strictly state construction that has to be accomplished, and the aid that may be obtained on state highways from sources other than federal aid highway funds.

At the first of the year it was estimated when work then under contract was completed, the total mileage under maintenance would be 8,733 miles, composed of the following mileages, by types:

Paving	2,925 miles
Gravel	5,450 miles
Earth	358 miles
Total	8,733 miles

Of the 4c gasoline tax raised for highway purposes under L. B. 235, the revenue from 2½c will be for state use, and the revenue of 1½c will be for counties and cities.

As nearly as can be estimated the counties and townships, in addition to the funds received from the gasoline tax and motor vehicle registration fees, will receive revenue to the extent of approximately $2,500,000.00 per year from the property tax and other sources. The total of $2,500,000.00 for highway purposes from sources other than gasoline tax and motor vehicle registration fees is arrived at by deducting the total county revenue from gasoline tax and motor vehicle registration fees for 1937, from the total expenditure for highway purposes by counties and townships for that year. In 1937 the counties, including townships, expended for highway purposes, $7,298,070.00. Basing the biennium upon the 1937 record, the counties and townships expend approximately $14,600,000.00 per biennium. The total revenue for the state from its two sources of gasoline tax and motor vehicle registration fees, is approximately $12,200,000.00 per biennium.

The revenue above outlined in both the case of the state and the counties, is exclusive of any federal funds.

The Committee calls attention to the fact that the people of the state are supporting two virtually separate highway systems—one maintained by the state, and the other by the counties and townships. It might even be said that the latter constitutes 93 distinct minor systems. We believe that more and better construction, as well as a better coordinated highway system, could be achieved if the efforts of the state and of the counties could be brought into a single unified program.

Recommendations

Wherever possible, the Committee has recommended a reduction of appropriations from tax funds. In fairness to the several expending agencies, as well as in the interest of economy, we feel that the same principle must be applied to appropriations from cash funds. Otherwise, some of the state's departments and services will be supported more generously than others, for no reason except that they happen to derive their revenues from different sources.

In making our recommendations it was impossible to apply a flat percentage reduction. There are some agencies, such as educational, charitable, and penal institutions, which are supported by both tax and cash funds. The primary purpose of making the charges represented by these cash funds is to reduce the burden of the property tax. Therefore, in such cases, we have not limited expenditures from cash funds, but have made such reductions as we felt could be made in the total appropriations for these agencies in their appropriations from tax funds.

In some cases the Governor's estimates of cash funds seem unexplainably low. The estimate of University cash receipts for the coming biennium is given as $1,880,000.00, whereas the receipts for the present biennium will be at least $1,000,000.00 in excess of that figure. The total shown for Kearney State Normal School for the next two years is less than the actual receipts for the last fiscal year. The figures for many other agencies are similarly underestimated. In the interest of accuracy we have substituted our own estimates, or those of the agencies themselves, for those of the Governor. These changes necessarily make our budget appear much larger than that presented by the Governor. We submit, however, that in making these changes we have not **increased the budget,** but have merely **corrected the totals.**

The legislature, if it is to function properly, must be fully informed. The citizen, if he is to criticize his government intelligently, must likewise be informed. Therefore, in order that both the legislature and the citizens of the state may be supplied with the most accurate information obtainable, the Committee urges that the Legislative Council, during the coming biennium, make exhaustive studies of the state's administrative organization and practices, as well as of its tax and budgetary problems. Specifically, we recommend that the following subjects be studied:

(1) The advisability of placing all the revenues of the state into the General Fund, or some single fund, and of making specific or fixed appropriations therefrom for the several expending agencies.

(2) The advisability of having all revenues of the state collected by a single department of revenue rather than, as at present, by numerous departments and agencies.

(3) The possibility of improving the present method of preparing and submitting the state's biennial budget.

(4) Standardization of the salaries and duties of officials and employees of **the state.**

(5) The travel and other expense accounts of state officials and employees.

(6) The adequacy and the cost of reports and other publications issued by the agencies of the state government.

The rapid increase in expenditures by the state government in recent years is accounted for, in large measure, by the acceptance of grants-in-aid from the national government, since both the amount granted by the national government, and the amount raised by the state for matching purposes, shows in the total of state expenditures. The growth of grants-in-aid may have been both justifiable and inevitable, but we urge that the legislature, in making future appropriations for matching purposes, give careful consideration to the following questions:

(1) Is the project, in itself, a desirable one aside from the consideration of receiving federal aid?

(2) If the project is desirable, are the people of Nebraska able to afford the necessary outlay?

(3) Will the state be able to carry on the project or service if and when the national government, in attempting to balance its budget, finds it necessary to withdraw or curtail its grants to the states?

(Signed) Frank J. Brady, Chairman
Committee on Appropriations.

GENERAL FILE

LEGISLATIVE BILL NO. 520. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 521. First eleven sections read and considered.

Mr. Herrick offered the following amendment, which was adopted:

Amend Sec. 11, line 16, (printed bill) by inserting after the word swine, the following: ", horse".

Laid over.

Adjournment

At 4:37 p. m. Mr. Reed moved to suspend the rules and adjourn until 8:30 a. m. Friday.

The motion prevailed.

Hugo F. Srb,
Clerk of the Legislature.

NINETY-SEVENTH DAY

Legislative Chamber,
Lincoln, Nebraska, May 19, 1939.

The Legislature met at 8:30 a. m. Speaker Diers presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Murphy who was excused.

The Journal for the Ninety-sixth Day was approved as corrected.

PETITIONS AND MEMORIALS

A telegram addressed to all members was read requesting that no recommendation be made for a cut in appropriations which would mean a discontinuance of the graduate school of social work; also a telegram opposing the drastic difference between the Kearney and Wayne Normal Schools set out in the appropriation bill.

Communications

A letter was read from Congressman Charles F. McLaughlin acknowledging receipt of a copy of Legislative Resolution No. 33 regarding Freight Rate Discriminations.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 133. Placed on Select File with amendments.

E and R amendments to L. B. No. 133:

I. Amend the standing committee amendments, March 6, 1939, mimeographed, amendment 1, Section 2, line 6, by inserting immediately after the preposition **"by"** and before the word **"Legislative"** therein the following: **"Section 1,"**.

II. Amend the standing committee amendments (cited above) page 2, Section 3, line 9, by striking therefrom the words "trade marks" and by inserting in lieu thereof the word **"trade-marks"**.

III. Amend the standing committee amendments (cited above) page 2, Section 3, line 13, by striking the word "fourth" therein and by inserting in lieu thereof the word "forth".

IV. Amend the standing committee amendments (cited above) page 2, Section 3, line 14 by striking therefrom the word "of" therein and by inserting in lieu thereof the word "or".

V. Amend the standing committee amendments (cited above) page 1, Section 1, line 23, by striking therefrom the words "**of the**" after the word "**total**" and before the word "**price**"; and strike the word "**the**" before the word "**tax**", page 1, lines 21 and 23, page 2, line 28; and strike the word "**the**" before the words "**motor vehicle fuel**", page 1, line 21, page 2, lines 24 and 27, wherever the same appears, in each of said lines respectively.

LEGISLATIVE BILL NO. 173. Placed on Select File with amendments.

E and R amendments to L. B. No. 173:

I. Amend the standing committee amendments, mimeographed, March 16, 1939, by striking all of amendment No. 1 thereon and by inserting in lieu thereof the following:

"1. Amend the original bill, page 1, line 3, title (the printed bill, page 1, line 2, title) by striking therefrom "$........." therein and by inserting in lieu thereof the following "**two hundred fifty dollars**".

II. Amend the standing committee amendments (cited above) amendment 5, line 4, by striking therefrom "250" and by inserting in lieu thereof the words "**two hundred fifty**".

III. Amend the original bill, page 1, preamble, line 6 (the printed bill, page 1, preamble, line 4) by engrossing the words "District Court" therein in lower case.

IV. Amend the original bill, page 2, preamble, line 28 (the printed bill, page 1, preamble, paragraph 4, line 2) by engrossing the words "County Attorney" in lower case.

V. Amend the original bill, page 2, preamble, line 29 (the printed bill, page 1, preamble, paragraph 4, line 2) by engrossing the words "District Judge" in lower case.

VI. Amend the original bill, page 2, preamble, line 42 (the printed bill, page 2, preamble, paragraph 7, line 3) by inserting after the word "crime" and before the word "which" the preposition "of".

VII. Amend the original bill, page 3, Section 1, line 2, (the printed bill, page 2, Section 1, line 2) by engrossing the word "State" therein in lower case.

VIII. Amend the original bill, page 3, Section 2, lines 5 and 6 (the printed bill, page 2, Section 2, line 4) by engrossing the words "Auditor of Public Accounts" in lower case.

IX. Amend the original bill, page 3, Section 2, line 8 (the printed bill, page 2, Section 2, line 6) by engrossing the words "State Treasurer" in lower case.

X. Amend the original bill, page 1, preamble, line 4 (the printed bill, page 1, preamble, line 3) by striking the word "law-abiding" therein and by inserting in lieu thereof the words "law abiding".

LEGISLATIVE BILL NO. 408. Placed on Select File with amendments.

E and R amendments to L. B. No. 408:

I. Amend the Standing Committee Amendments, March 6, 1939, mimeographed, Amendment 7, line 8 by striking the word "**name**" and by inserting in lieu thereof the word "**names**".

II. Amend the printed bill only, page 3, Section 1, line 18 (by inserting the word "upon" after the word "voted" therein.

III. Amend the original bill, page 8, Section 1, line 102 (the printed bill, page 4, Section 1, line 80) by striking the punctuation ";" therein and by inserting in lieu thereof the punctuation ",".

IV. Amend the original bill, pages 8¼ and 8½, Section 2 by inserting a "☐" to the left of each blank line thereon, in same manner as it appears on page 6 of the printed bill; and on page 6, Section 1, line 55 of the original bill (page 3, Section 1, line 42 of the printed bill) strike the word "Vice-President" therein and insert in lieu thereof the words "**Vice President**"; and also engross the words "vice-president" as two words in lower case or in caps and lower case as the context requires wherever said word appears either in title or text of said bill; and on page 6 of the printed bill only, line 1, strike the punctuation "," after the words "BALLOT" and "ELECTION" therein and insert in each instance respectively the punctuation "—"; and also on said page 6 of the printed bill only, Column 1, strike "Pres." wherever the same occurs and insert in lieu thereof the word "President"; and amend the printed bill only, page 6, Column 2 by striking the punctuation "," after the word "Judge" in Block 3 therein; and amend the original bill only, page 8½, Column 2, Block 3, line 3 by inserting the word "ONE" after the word "for" therein.

V. Amend the original bill, page 10, Section 4, line 12 (the printed bill, page 7, Section 4, line 8) by striking the word "State" therein and by inserting in lieu thereof the word "**state**"; and engross the bill by striking the word "State" and by inserting the word "**state**" wherever the same appears throughout the title and text of the bill.

VI. Amend the original bill, page 10, Section 5, lines 7 and 11 (the printed bill, page 7, Section 5, lines 5 and 8) by striking the word "**legislature**" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word "**Legislature**" and likewise throughout the title and text of said bill engross the word "legislature" in caps and lower case.

VII. Amend the original bill, page 13, Section 7, line 24 (the printed bill, page 9, Section 7, line 18) by striking therefrom "**(40)**"; and strike all figures in parentheses and the parentheses surrounding them wherever the same appear throughout the title and text of the bill.

VIII. Amend the original bill, page 13, Section 7, line 39 (the printed bill, page 9, Section 7, lines 28 and 29) by striking therefrom "**: Provided**" therein and by inserting in lieu thereof the following: "**; and provided further**".

IX. Amend the original bill, page 13, Section 7, lines 42 and 43 (the printed bill, page 9, Section 7, lines 31 and 32) by striking the punctuation and words therefrom as follows: "**: Provided,**" and by inserting in lieu thereof the following: "**; and provided**".

X. Amend the original bill, page 14, Section 7, lines 65 and 68 (the printed bill, page 10, Section 7, lines 47 and 49) by striking "**(24)**" and "**(10)**" wherever the same appear in each of said lines respectively.

XI. Amend the original bill, page 15, Section 8, line 10 (the printed bill, page 10, Section 8, line 7) by striking therefrom "$50.00" therein and by inserting in lieu thereof the words "**fifty dollars**"; and in line 14 of said Section 8 of the original bill (line 10 of the printed bill) strike "$10.00" therein and insert in lieu thereof the words "**ten dollars**"; and in line 15 of said section 8 of the original bill (line 11 of the printed bill) strike "$5.00" therein and insert in lieu thereof the words "**five dollars**".

XII. Amend the general file amendments, amendment No. 1, May 11, 1939, line 3, by underscoring the subject matter in quotation marks as new matter underscored for final form on third reading on said bill.

XIII. Amend the original bill, page 16, Section 9, line 27 (the printed bill, page 11, Section 9, line 19) by striking therefrom "(5)" therein; and on page 17, Section 9, line 47 of the original bill (page 11, Section 9, line 35 of the printed bill) strike "(90)".

XIV. Amend the original bill, page 16, Section 9, line 31 (the printed bill, page 11, Section 9, line 22) by inserting the punctuation ";" after the word "only" and before the word "that" therein.

XV. Amend the printed bill only, page 12, Section 9, line 39 by inserting after the syllable "**tion**" and before the word "**must**" therein the words "**for nomination**".

XVI. Amend the original bill, page 17, Section 9, line 59 (the printed bill, page 12, Section 9, line 43) by striking therefrom "$5,000.00" therein and by inserting in lieu thereof the words "**five thousand dollars**".

XVII. Amend the original bill, page 17, Section 9, line 61 (the printed bill, page 12, Section 9, line 45) by striking therefrom the indefinite article "a" and by inserting in lieu thereof the definite article "the".

XVIII. Amend the original bill, pages 18, 19 and 20 (the printed bill, pages 12 and 13) by striking all figures in parentheses and the parentheses surrounding them in lines 6, 7, 8, 10, 11 and 13 of the original bill (lines 5, 6, 7, 9 and 11 of the printed bill).

XIX. Amend the original bill, page 21, Section 12, line 4 (the printed bill, page 14, Section 12, line 3) by striking the words "County Clerk" therein and by inserting in lieu thereof the words "**county clerk**".

XX. Amend Standing Committee amendments Nos. 7, 11, 13, 14, 15 and 16 by striking therefrom the word "**points**" (referring to a size of type) and inserting in each of said places the word "**point**" in lieu thereof.

LEGISLATIVE BILL NO. 307. Placed on Select File.

Presented to Governor for Approval

Wednesday, May 17, 1939 at 5:00 p. m.

L. B. No. 2 L. B. No. 168 L. B. No. 170

Thursday, May 18, 1939 at 11:40 a. m.

L. B. No. 517 L. B. No. 519

Correctly Enrolled

L. B. No. 74 L. B. No. 132 L. B. No. 389

(Signed) Craven, Chairman

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

L. B. No. 74 L. B. No. 132 L. B. No. 389

Approved by the Governor

May 18th, 1939.

To the Members of the Legislature:

Gentlemen:

I have been directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bills:

L. B. No. 519 L. B. No. 168 L. B. No. 170

Respectfully submitted,
(Signed) Otho K. De Vilbiss,
Secretary to the Governor.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 34. Mr. Carsten moved that the resolution be adopted.

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL NO. 106. Mr. Thomas offered the following amendment, which was adopted by unanimous consent:

1. Amend the original bill, page 1, Section 1, line 1 (the printed bill, page 1, Section 1, line 1) by inserting after the word, figure and punctuation "Section 1." therein the following:

"That Section 59-805, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

59-805. The attorney general of this state may at any time require of any corporation, joint stock company, or other association so engaged **in business within this state,** any statement he may think fit in regard to the conduct of its business; and he may especially require any such corporation, joint stock company or other association, to give a list of all contracts or transactions entered into within the twelve months preceding such requisition, in which it has sold any article or product, or carried any article or product within this state at a rate less than the ordinary market price, if such article or product had been sold or carried by any other person than the party to such transaction; and he may further require the reasons for such distinction and the circumstances attending the same.

Sec. 2.".

2. Amend the original bill, page 1, Section 1, line 1 (the printed bill, page 1, Section 1, line 1) by inserting immediately after the word "That" therein the following:

"said original Section 59-805, Compiled Statutes of Nebraska, 1929, is hereby repealed; and that".

3. Amend the original bill, page 1 (the printed bill, page 1) by renumbering Section 2 thereon to comply with the foregoing amendments.

4. Amend the original bill, page 1, title, line 2 (the printed bill, page 1, title, line 2) by inserting after the word "ACT" therein the following:

"to amend Section 59-805, Compiled Statutes of Nebraska, 1929;" ; and in line 8 of the title of the original bill (line 5 of the title of the printed bill) insert after the word and punctuation "trade;" the following:

"to repeal said original section;".

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 124. E and R amendment as found in the Legislative Journal for the Ninety-fourth Day was adopted.

Mr. Dunn moved that the bill be placed on General File for the following Specific amendments:

1. Amend the printed bill, page 2 by striking all of Section 2 thereon and by inserting in lieu thereof the following:

"Sec. 2. That Sec. 77-1458, Comp. St. Supp., 1937, be amended to read as follows:

77-1458. With each application for a license the applicant shall pay to the department the additional sum of ~~ten dollars~~ **twenty five dollars** by way of occupation tax for each vehicle to be used in said business, and all amounts so received by the department shall be by the department paid over to the state Treasurer and by him held in a fund for and which fund, if and when appropriated by the Legislature to the uses of the Department for any biennium, may be employed for the purposes of administration and enforcement of this Act and shall be used by the department for such purpose.

Sec. 3. That said original Secs. 77-1451 and 77-1458, Comp. St. Supp., 1937, are hereby repealed."

2. Amend the printed bill, page 2 by renumbering Section 3 thereon to comply with the foregoing amendment.

3. Amend the printed bill, page 1, title, by striking all of said title after the word "Act" in line 2 thereof and by inserting in lieu thereof the following:

"to amend Secs. 77-1451 and 77-1458, Comp. St. Supp., 1937, relating to revenue; to define itinerant merchants and the business conducted by them; to prescribe the amount of occupation tax per vehicle used by itinerant merchants in their said business; to repeal said original sections; and to declare an emergency.

Mr. Peterson presiding.

The motion prevailed.

Mr. Dunn moved that the rules be suspended and the bill and amendment on General File be considered at once.

The motion prevailed with 34 ayes, no nays, 9 not voting.

Mr. Dunn moved that the Specific amendment above set out be adopted.

The motion prevailed.

Mr. Tvrdik moved that the rules be suspended and the bill be referred to E and R for engrossment.

The motion prevailed with 32 ayes, no nays, 11 not voting.

LEGISLATIVE BILL NO. 301. Mr. Ashmore moved that the bill be referred to General File for the following Specific amendments:

A. Amend the original bill, page 1 (the printed bill, page 1) by striking all of Section 1 thereon and by inserting in lieu thereof the following:

"Section 1. That Section 57-207, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

57-207. **a.** Hereafter any person, firm, association, joint stock company or corporation holding or possessing right, title, lien, interest or permission under a lease or contract to develop oil, gas or other mineral resources within the ~~State~~ **state** of Nebraska, shall within ~~five~~ **ten** years after such lease has been granted, or contract made and executed, drill at least one well or shaft upon the land described in any separate lease, and a failure so to do shall give the lessor, or the heirs or assigns of said lessor the right to rescind or revoke said contract and to take full possession of said tract or parcel of ground free from any claim existing by virtue of such lease or contract. **b. In the event oil or gas is discovered in commercial quantities on any land under oil lease, the lessee or lessees of oil and gas leases on land within one thousand feet of such well, shall within one hundred days after bringing in such well, in good faith begin the drilling of an offset well, or wells, upon such adjoining lands under oil and gas lease, and prosecute the same with diligence to completion. Every offset well shall be drilled to the depth necessary for effective protection against undue drainage by other wells on other lands in that locality. c. If such person, or persons, fail or refuse to begin drilling such offset wells within the time required, or to drill such offset well or wells, diligently and in good faith, or to drill such wells to the depth necessary for the purpose intended, or to use the means necessary to the development of any well or wells on such adjoining land or lands, within the time required, the oil and gas lease upon such land, or lands, shall ipso facto terminate and the rights acquired thereunder shall likewise terminate without notice or demand from the owner, or owners, of such adjoining land or lands.**

Sec. 2. That said original Section 57-207, Compiled Statutes of Nebraska, 1929, is hereby repealed.".

B. Amend the original bill, page 1 (the printed bill, page 1) by renumbering Section 2 to conform with the foregoing amendment.

C. Amend the original bill, page 1, title, line 2 (the printed bill, page 1, title, line 2) by striking all of said title after the word "ACT" therein and by inserting in lieu thereof the following:

"to amend Section 57-207, Compiled Statutes of Nebraska, 1929, relating to minerals, oil and gas; to provide for the revocation of leases for the development of oil, gas and other mineral resources of the state of Nebraska upon failure of the lessee to drill at least one well or shaft upon the land described in any separate lease within a period of ten years after such lease shall have been granted; to prescribe requirements concerning the drilling of offset wells; to provide penalties for the violation thereof; to repeal said original section; and to declare an emergency.".

Mr. Thomas moved that the amendments be mimeographed and placed on the desks of the members so that they have an opportunity to study it before taking action.

The motion prevailed.

Special Order of Business 10:00 a. m.

The Chair announced that L. B. No. 235 had been returned to the Legislature by the Governor.

LEGISLATIVE BILL NO. 235. Mr. Callan moved that the bill be placed on Third Reading File.

The motion prevailed.

BILLS ON THIRD READING

Mr. Callan moved that the Legislature reconsider its action on L. B. 235.

The motion prevailed with 29 ayes, no nays, 14 not voting.

Mr. Callan moved that the bill be recommitted to Select File for the following Specific amendments:

A. Amend the bill, final form on third reading, page 4, Section 2, lines 5 and 6, by striking therefrom the following: **"From and after the passage and approval of this Act up to and including June 30, 1939"** therein and by inserting in lieu thereof the following: **"Commencing July 1, 1939".**

B. Amend the bill (cited above) page 1, title, lines 6 and 7, by striking therefrom the following: "from and after the passage and approval of this Act up to and including June 30, 1939," and by inserting in lieu thereof the following: "commencing July 1, 1939".

C. Amend the bill (cited above) page 1, title, line 15, by inserting after the word and punctuation "sections;" the following: "to provide a saving clause;".

The motion prevailed.

Mr. Callan moved that the rules be suspended and the amendment adopted.

The motion prevailed with 33 ayes, 1 nay, 9 not voting.

Mr. Mekota moved that action on L. B. No. 235 be deferred until 2:00 p. m.

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL NO. 174. Mr. Peterson moved that his Specific amendment found in the Legislative Journal for the Ninety-fifth Day be adopted.

Record vote was requested.

A call of the House was ordered.

The call was raised.

Voting in the affirmative, 19:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Dunn
Gutoski
Hall
Johnston
Klaver
Lambert
Mueller
Norman
Peterson
Reavis
Reed
Schultz
Thomas
Thornton
Tvrdik

Voting in the negative, 13:

Callan
Carlson
Doyle
Gantz
Gross
Hastings
Howard
Johnson
Mekota
Mischke
Neubauer
Sorrell
Van Diest

Not voting, 11:

Brodecky
Carsten
Craven
Diers
Garber
Herrick
Miller
Murphy
Rossiter
Von Seggern
Westley

The amendment was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 107. Passed over.

LEGISLATIVE BILL NO. 185. Mr. Gross moved to indefinitely postpone.

After discussion Mr. Reavis moved the previous question.

The motion prevailed with 26 ayes, no nays, 17 not voting.

Record vote was requested on the motion to indefinitely postpone.

A call of the House was ordered.

The call was raised.

Voting in the affirmative, 20:

Brodecky
Callan
Carlson
Doyle
Gantz
Garber
Gross
Hall
Hastings
Herrick
Howard
Johnson
Lambert
Mekota
Mischke
Neubauer
Peterson
Sorrell
Van Diest
Von Seggern

Voting in the negative, 13:

Adams, E. A.
Adams, J. Jr.
Carsten
Diers
Dunn
Gutoski
Klaver
Miller
Mueller
Norman
Reed
Thomas
Tvrdik

Not voting, 10:

Ashmore
Brady
Craven
Johnston
Murphy
Reavis
Rossiter
Schultz
Thornton
Westley

The motion prevailed.

Statement for Journal

Mr. President: I voted no to indefinitely postpone L. B. No. 185 by Mr. Murphy because he was away sick. Courtesy entitled Mr. Murphy to be present, under the motion to postpone. However, if the bill came up for final passage I would have voted against the bill. (Signed) Dunn.

LEGISLATIVE BILL NO. 190. Mr. Reavis moved to indefinitely postpone.

The motion prevailed.

LEGISLATIVE BILL NO. 451. John Adams, Jr. moved to indefinitely postpone.

Record vote was requested.

Voting in the affirmative, 9:

Adams, J. Jr.
Carlson
Craven
Dunn
Gutoski
Herrick
Howard
Klaver
Miller

Voting in the negative, 18:

Ashmore
Callan
Carsten
Doyle
Gantz
Garber
Gross
Hastings
Johnson
Mischke
Neubauer
Peterson
Rossiter
Schultz
Sorrell
Thomas
Thornton
Van Diest

Not voting, 16:

Adams, E. A.
Brady
Brodecky
Diers
Hall
Johnston
Lambert
Mekota
Mueller
Murphy
Norman
Reavis
Reed
Tvrdik
Von Seggern
Westley

The motion was lost.

Unanimous consent was granted Mr. Rossiter to withdraw his amendments offered on the Ninety-fourth Day.

Mr. Rossiter offered the following amendments:

1. Amend the proposed amendments, April 11, 1939, mimeographed, Amendment 1, page 1, line 3 by striking therefrom the word "five-tenths" therein and by inserting in lieu thereof the word **"one-fiftieth"**.

2. Amend the proposed amendments, April 11, 1939, mimeographed, Amendment 1, page 2 by striking that part of said amendment commencing with the last word "The" in line 55 down to and including the word and punctuation **"state."** in line 70 and by inserting in lieu thereof the following:

"The county board in each county shall levy a tax of one-tenth of one mill on the dollar annually on all taxable property in the county,

such tax to be levied and collected in like manner with the general taxes of the county, and shall be known as the Aid to Dependent Children Fund of....................county, which fund shall be administered in accordance with the provisions of Sec. 68-329, Comp. St. Supp., 1937, as amended by Section 3 of this Act. The county board in each county shall levy a tax of not to exceed ~~two-tenths~~ **one-tenth** of one mill on the dollar annually on all taxable property in the county, such tax to be levied and collected in like manner with the general taxes of the county, and shall be known as ~~a~~ **the** Mothers' Pension Fund **of said county**: Provided, that in counties having a population of ~~150,000~~ **one hundred fifty thousand** inhabitants or more the county board shall levy a tax of not to exceed ~~three-tenths~~ **two-tenths** of one mill on the dollar annually on all taxable property in the county for the said Mothers' Pension Fund.

3. Amend the proposed amendments, April 11, 1939, mimeographed, Amendment 1, page 4, Section 3, lines 18 and 19 by striking therefrom **'which includes its "Mothers' Pension Fund", both of said funds'.**

4. Amend the proposed amendments, April 11, 1939, mimeographed, Amendment 1, page 4, Section 3, lines 23 and 33 by striking the punctuation and word **",mothers"** wherever the same appears in each of said lines respectively.

5. Amend the proposed amendments, April 11, 1939, mimeographed, Amendment 2, pages 4 and 5 by striking all of said amendment after the word and punctuation "security;" in line 5 of said page 4 and by inserting in lieu thereof the following:

"to provide for the amount of annual levies to be made by the county board of the several counties for blind assistance, mothers' pensions and aid to dependent children; to provide that the Mothers' Pension Fund shall be administered by the county boards of the several counties; to provide that said blind assistance and aid to dependent children funds shall be administered by the several counties under the direct supervision of the Board of Control of state institutions; to provide for the deposit of said blind assistance and aid to dependent children funds by the county treasurers of the several counties in the office of the state treasurer, within the State Assistance Fund, for the sole use and benefit of the county and within the county so depositing said fund under the administration and management of the Board of Control of state institutions; to repeal said original sections; and to declare an emergency." .

No action taken thereon.

MOTION—To Appoint Committee to Set Date for Adjournment

Mr. President: I move that a committee of three be appointed by the speaker to set final date for adjournment and make necessary preparations. (Signed) Schultz.

The motion prevailed with 25 ayes, 4 nays, 14 not voting, and the Speaker appointed the following members to serve on said committee:

Schultz Reavis Callan

MOTION—To Indefinitely Postpone Bills in Standing Committees

Mr. President: I move that all bills in Standing Committees, except Enrollment and Review, be indefinitely postponed. (Signed) Schultz.

The motion was lost.

MOTION—To Work on Saturday

Mr. President: I move that the Legislature work on Saturday, May 20, 1939. (Signed) Gutoski.

The motion was lost with 17 ayes, 13 nays, 13 not voting.

Members Excused

Mr. Brady was excused for the remainder of the day.

Mr. Doyle was excused for the remainder of the day and Saturday.

Recess

At 12:10 p. m. on motion by Mr. Dunn the Legislature recessed until 2:00 p. m.

After Recess

The Legislature reconvened at 2:00 p. m. Speaker Diers presiding.

The roll was called and all members were present except Mr. Murphy who was excused.

SELECT FILE

LEGISLATIVE BILL NO. 235. Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL NO. 451. Mr. Rossiter moved the adoption of his amendments found in this day's Journal.

The motion prevailed.

Mr. Doyle moved to refer to E and R for review.

Mr. Herrick moved to indefinitely postpone.

Record vote was requested.

Voting in the affirmative, 27:

Adams, E. A.
Adams, J. Jr.
Ashmore
Carlson
Craven
Dunn
Garber
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Klaver
Lambert
Mekota
Miller
Mueller
Neubauer
Norman
Reavis
Reed
Schultz
Thomas
Thornton
Tvrdik
Von Seggern

Voting in the negative, 10:

Brady
Callan
Doyle
Gross
Johnston
Mischke
Peterson
Rossiter
Sorrell
Van Diest

Not voting, 6:

Brodecky
Carsten
Diers
Gantz
Murphy
Westley

The motion to indefinitely postpone prevailed.

Unanimous Consent Granted to Amend

On request by Mr. Ashmore, unanimous consent was granted to instruct the Enrollment and Review Committee to amend L.B. No. 326 as follows:

Strike all of the General File amendment (Ashmore) May 8, 1939, relating to Section 2, line 12, of the printed bill, and amend (the printed bill, page 2, Section 2, line 20) by inserting after the word **"employees"** and preceding the punctuation and words ". The council", the following:

"Provided, that the employment of all personnel by the council shall be subject to confirmation by the Legislature, if in session, or if not in session, at the next regular or special session of the Legislature, after such employment."

MOTION—To Recommit to General File

Mr. President: I move that L. B. No. 331 be recommitted to General File for the following Specific amendments:

1. Amend the original and printed bills by striking all of the body and text of said bills, together with any amendments thereto, after the enacting clause and by inserting in lieu thereof the following:

"Section 1. There is hereby established a Division of Motor Fuels in the Department of Agriculture and Inspection. The head of such division shall be the Chief of the Bureau of Motor Fuels. The governor, forthwith upon the effective date of this Act, is hereby authorized and empowered to appoint said chief, and such deputies and assistants as in his judgment may be deemed necessary to carry out fully the provisions of Articles 3, 4, 7 and 8, Chapter 66, Comp. St. Supp., 1937, as now existing or as hereafter amended. The Chief of the Bureau of Motor Fuels shall administer and enforce the provisions of the statutes mentioned in this Act within such appropriations for that purpose as the Legislature from time to time shall provide.

Sec. 2. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law."

2. Amend the original bill, page 1, title, line 2 (the printed bill, page 1, title, line 2) by striking all of said title after the word "ACT" therein and by inserting in lieu thereof the following:

"relating to motor fuels; to create a Division of Motor Fuels in the Department of Agriculture and Inspection; to designate the head of such division as the Chief of the Bureau of Motor Fuels; to prescribe the duties of said division; to prescribe that said division shall be maintained by such appropriations as the Legislature shall from time to time provide; and to declare an emergency.".

(Signed) Callan.

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL NO. 331. Mr. Callan moved that his Specific amendments above set out be adopted.

The motion prevailed.

Referred to E and R for review.

LEGISLATIVE BILL NO. 521. Mr. Tvrdik offered the following amendment, which was adopted:

1. Amend the printed bill, page 9, Section 28, line 3 by striking all of line 3 therein and by inserting in lieu thereof the following:

"State Sheriff's Department ....$40,000.00"

"Law enforcement, general criminal laws."

Mr. Mueller offered the following amendment:

Amend Sec. 32, line 15, page 11 of the printed bill, by striking out the amount of $298,730.00 and inserting the amount of $307,659.00.

A call of the House was ordered.

The call was raised.

The amendment was adopted with 14 ayes, 10 nays, 19 not voting.

Mr. Rossiter moved that the Legislature reconsider its action on the Mueller amendment to Section 32.

No action taken thereon.

Adjournment

At 4:45 p. m. Mr. Van Diest moved to adjourn.

Mr. Howard offered a substitute motion to suspend the rules and adjourn until 9:00 a. m. Saturday.

The substitute motion was lost with 19 ayes, 6 nays, 18 not voting.

The original motion was lost.

STANDING COMMITTEE REPORT

Enrollment and Review

Presented to Governor for Approval

Friday, May 19, 1939 at 1:50 p. m.

L. B. No. 74 L. B. No. 132 L. B. No. 389

(Signed) Craven, Chairman

Message from the Governor

May 19, 1939

To The Members of the Legislature

Gentlemen:

I am returning herewith Legislative Bill 74 without my approval.

In vetoing Legislative Bill 74, I am compelled to do so for many reasons. This type of legislation is wrong in principle as the legislature has well recognized in rejecting all other measures of a similar character requested by special economic groups. This type of legislation is opposed to the public welfare besides being inimical to the interests of the groups requesting such legislation. In vetoing this bill I am hopeful of fortifying and strengthening the wise decisions which the legislature has made throughout this entire session in refusing to grant similar privileges to other groups. To sign this bill would be to invite all other groups refused legislation to return and to demand the same treatment.

This bill, should it become a law, will work hardship upon thousands of people of slender means and slender income in the smaller towns and cities of Nebraska. For the doubtful benefit of a few it will add to the burdens of many. For that reason I cannot approve this measure.

Nothing more wholesome can emerge from this legislative session than the knowledge that the practice, which has grown in alarming fashion in recent years, under which business calls upon government to do things for business which, if desirable, business should do for itself, has come to an end. The people of Nebraska had thought that this legislature had made its attitude unmistakably clear upon that issue. It has rejected a large number of bills, all of which would have perpetuated the practice of business loading its troubles upon government, a practice so burdensome to government, so injurious to business itself, and so harmful to public interest that the attitude of the legislature upon such measures up until the passage of this bill has met with widespread approval. I have been in the heartiest accord with the legislature's attitude toward regulatory legislation and in vetoing this bill I take this opportunity to commend it for its accomplishments previous to the passage of L. B. 74.

This bill is presented in the guise of a health measure. It contains no effective provision that is not already a part of the statutes. It contains no provision for violation save the withdrawal of a license to maintain and operate a barber shop. That raises the question whether refusal of the proprietor of a barber shop to maintain the prices which may be fixed under the provisions of the bill, or the sanitary regulations shall be the basis for a license.

This bill establishes legal price fixing in Nebraska and projects a vicious trend which in time will be utilized and must be granted to every group that seeks it. It projects a widening circle; a circle within a circle; with only the consumer and the public unrepresented. I do not believe that the people of this state will approve a precedent which, if established under the provisions of this bill, will find each following legislature called upon more and more to do for other groups what it is proposed shall be done for one group under this bill. It means, with the precedent established as a principle of government, a departure from the sound practices which traditionally have characterized Nebraska life. It is alien to Nebraska governmental practice. It means demoralization in the normal channels of trade, an enormous increase in the burdens and responsibilities of government, and irreparable harm to the people who constitute the government of this state.

Respectfully submitted,

(Signed) R. L. Cochran,
Governor.

Adjournment

At 4:54 p. m. on motion by Mr. Reavis the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

NINETY-EIGHTH DAY

Legislative Chamber,
Lincoln, Nebraska, May 22, 1939.

The Legislature met at 9:00 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the Ninety-seventh Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Hastings, one, favoring L. B. No. 12; Mr. Neubauer, one opposing L. B. No. 12, one, opposing the present administration of the state assistance program; all members, one, opposing the opening of the State Fair on Sunday.

Communications

Letters were read from Senator Edward R. Burke and Congressman Harry B. Coffee acknowledging receipt of a copy of Legislative Resolution No. 31; and an excerpt from the Congressional Record stating that Vice President Garner had presented the same to the senate and it had been referred to the Committee on Commerce.

Letters were read from M. H. McIntyre, Secretary to the President, W. B. Bankhead, Speaker of the House, Senator Edward R. Burke, Congressmen Harry B. Coffee, Charles F. McLaughlin, Carl T. Curtis, George H. Heinke, and Charles B. Bowling of the United States Department of Agriculture, all acknowledging receipt of a copy of Legislative Resolution No. 33; and an excerpt from the Congressional Record stating that Vice President Garner had presented the same to the Senate and it had been referred to the Committee on Interstate Commerce.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 127. Correctly engrossed.

LEGISLATIVE BILL NO. 235. Replaced on Select File with amendment.

E and R amendment to L. B. No. 235:

E. Strike Select File amendment C, May 19, 1939 (see Legislative Journal, Ninety-seventh Day).

LEGISLATIVE BILL NO. 104. Replaced on Select File with amendment.

E and R amendment to L. B. No. 104:

A. Amend the Standing Committee report, February 25, 1939, mimeographed, Amendment 1, line 2, by inserting after the word "all" and before the preposition "of" in line 3 therein the following:

"of the body or text of said bill after the enacting clause and all".

(Signed) Craven, Chairman.

MOTION—To Place on Select File

Mr. President: I move that L. B. No. 174 be placed back on Select File for reconsideration of the Peterson amendment which appears on pages 1124 and 1125 of the Journal. (Signed) Gantz.

The motion prevailed with 15 ayes, 11 nays, 17 not voting.

GENERAL FILE

Unfinished Business

LEGISLATIVE BILL NO. 521. Mr. Rossiter renewed his motion of the Ninety-seventh Day to reconsider action on the Mueller amendment.

A call of the House was ordered.

The call was raised.

The motion prevailed with 24 ayes, 11 nays, 8 not voting.

Mr. Mueller withdrew his amendment.

Mr. Brady offered the following amendment.

Sec. 32, line 15, strike 298,730.00 and insert in lieu thereof 302,480.00.

And in line 31, Section 32, page 11, strike 297,123.00 and insert in lieu thereof 293,373.00.

Mr. Brodecky moved that the Brady amendment be laid on the table.

The Brodecky motion was lost with 3 ayes, 20 nays, 30 not voting.

Mr. Brady's amendment was adopted.

Mr. Brady offered the following amendment, which was adopted:

Amend the printed bill, page 14, Section 39, line 4 by striking therefrom the figures "52,750.00" and by inserting in lieu thereof the figures "66,755.64".

Speaker Diers presiding.

Mr. Craven offered an amendment which was withdrawn to be considered later.

President Johnson presiding.

Mr. Brady offered the following amendment, which was adopted:

Amend Sec. 47, line 6, after the word "expense" by inserting "including not to exceed $6,000.00 for salaries of assistants and office help in the office of the attorney general".

Mr. Brady offered the following amendment, which was adopted:

Amend the printed bill, page 23, Section 54 by inserting immediately after line 14 therein the following:

Special Insane Tax Fund

Appropriate or reappropriate, as the case may be, proceeds arising from moneys received under administration of Sec. 83-756, Comp. St. Supp., 1937, estimated, $940,526.26.

Recess

At 12:00 m. on motion by Mr. Schultz the Legislature recessed until 2:00 p. m.

After Recess

The Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present.

Approved by the Governor

May 19th, 1939.

To the Members of the Legislature:
Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bill:

L. B. No. 2.

Respectfully submitted,
(Signed) Otho K. De Vilbiss,
Secretary to the Governor.

May 22nd, 1939.

To the Members of the Legislature:

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bills:

L. B. No. 132
L. B. No. 389

Respectfully submitted,
(Signed) Otho K. De Vilbiss,
Secretary to the Governor.

MOTION—To Reconsider Action

Mr. President: I move the Legislature reconsider its action on L. B. No. 413 of the Ninety-fifth Day. (Signed) Schultz.

Record vote was requested.

A call of the House was ordered.

The call was raised.

A call of the House was ordered.

The call was raised.

Voting in the affirmative, 28:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Carsten
Dunn
Gutoski
Hall
Hastings
Howard
Johnson
Johnston
Klaver
Lambert
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Schultz
Thomas
Thornton
Tvrdik
Westley

Voting in the negative, 11:

Brodecky
Callan
Carlson
Diers
Doyle
Gantz
Garber
Gross
Sorrell
Van Diest
Von Seggern

Not voting, 4:

Craven
Herrick
Mekota
Rossiter

The motion, having failed to receive the required two-thirds majority for a suspension of the rules, was lost.

GENERAL FILE

LEGISLATIVE BILL NO. 521. Mr. Hall offered the following amendment and moved its adoption:

On page 12, Section 35, lines 12 and 13, strike the words "to be expended for salaries of assistants and office help in the office of the attorney general".

As a substitute, Mr. Thomas offered the following amendment, which was adopted:

Strike "1,800.00", page 12 printed bill, Sec. 35, line 13, and insert in lieu thereof "600.00".

Mr. Dunn offered the following amendment, which was adopted:

Amend page 13, Sec. 37, line 13 by striking after expense the words "not to" and in line 14 strike the figures "$3,540.00".

Adjournment

At 4:29 p. m. on motion by Mr. Craven the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

NINETY-NINTH DAY

Legislative Chamber,
Lincoln, Nebraska, May 23, 1939.

The Legislature met at 9:00 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except John Adams, Jr.

The Journal for the Ninety-eighth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Johnston, one, all members, one, opposing any restriction in the appropriation for the Bureau of Education and Registration for Nurses; all members, one, asking that a new agency be appointed to conduct and administer the assistance program in Nebraska.

Communications

Letters were read from M. H. McIntyre, Secretary to the President, and W. P. Bartel, Secretary for the Interstate Commerce Commission, acknowledging receipt of a copy of Legislative Resolution No. 33, regarding freight rate discriminations.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 331. Placed on Select File.

LEGISLATIVE BILL NO. 520. Placed on Select File with amendments.

E and R amendments to L. B. No. 520:

I. Engross the bill with carry overs, dollar signs and column captions underscored, as indicated in original bill.

LEGISLATIVE BILL NO. 431. Placed on Select File with amendments.

E and R amendments to L. B. No. 431:

I. Amend the original bill, page 2, Section 1, line 6 (the printed bill, page 1, Section 1, line 4) by striking therefrom the word "re-finance" and by inserting in lieu thereof the word "refinance".

II. Amend the original bill, page 2, Section 3, line 13 (the printed bill, page 2, Section 3, line 9) by inserting the word "legal" after the word "one" and before the word "newspaper".

III. Amend the Standing Committee Amendments, April 3, 1939, mimeographed, page 1, Amendment 5, line 5, by striking therefrom the word "should" and by inserting in lieu thereof the word "shall".

IV. Amend the General File Amendments, May 12, 1939, mimeographed, page 2, Amendment 1, Section 10, line 1 by inserting after the word "by" therein the following:

"Sections 7 to 11, inclusive, of"; and after the preposition "of" in line 6 of said Section 10 insert: "Sections 7 to 11, inclusive, of"; and in line 2, Section 11, of said amendment after the word "by" and before the word "this" therein insert "Sections 7 to 11, inclusive, of"; and in line 4 of said Section 11 after the preposition "of" and before the adjective "this" therein insert "Sections 7 to 11, inclusive, of".

V. Pursuant to General File Amendments (cited above) page 2, Amendments 2 and 4, amend the original bill, page 3 (the printed bill, page 2) by striking all of Section 7 thereon and by inserting in lieu thereof the following:

"Sec. 12. If any clause, sentence, paragraph or part of this Act shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Act, but shall be confined in its operation to the clause, sentence, paragraph, or any part thereof, directly involved in the controversy in which such judgment has been rendered.

Sec. 13. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law."

VI. Amend the original bill, page 2, Section 1, line 8 (the printed bill, page 1, Section 1, line 6) by inserting immediately after the word and punctuation "provided." the following:

"It is the intention of the Legislature that Sections 1 to 6, inclusive, of this Act shall be construed as supplemental to and cumulative with and in no wise a limitation of the powers granted to municipalities mentioned in Sections 7 to 11, inclusive, of this Act.".

VII. Pursuant to general file amendments (cited above) page 2, amendment 3, amend the original bill, page 1, title, line 15 (the printed bill, page 1, title, line 9) by inserting immediately after the word and punctuation "bonds;" therein the following:

"to authorize and empower any city of the first class having a population of more than five thousand and less than twenty-five thousand inhabitants, city of the second class or village in the state of Nebraska to borrow money with which to pay judgments against their respective municipalities and accrued interest thereon and to redeem outstanding warrants of such city or village, as the case may be; to issue the municipality's promissory note or notes therefor; to provide for the repayment of money so borrowed; to prescribe terms, provisions, conditions and limitations upon the exercise of the power so to borrow; to provide that the provisions of Sections 7 to 11, inclusive of this Act shall be construed as supplemental to and cumulative with existing charter powers of said municipalities on the same subject; to provide that Sections 1 to 6, inclusive, of this Act shall not be construed as a limitation on the powers conferred upon municipalities in Sections 7 to 11, inclusive, therein;".

LEGISLATIVE BILL NO. 55. Placed on Select File with amendments.

E and R amendments to L. B. No. 55:

I. Amend the Standing Committee Amendments, mimeographed, May 5, 1939, Sections 1 to 15, inclusive, by striking therefrom the words "Attorney General", or **"Attorney General"**, wherever the same appear and insert in lieu thereof the words **"attorney general"**; and in said sections strike therefrom the word "State" or **"State"** and insert in lieu thereof the word **"state"**; and by striking therefrom the word "Department" or **"Department"** and insert in lieu thereof the word **"department"**; and in said sections strike therefrom the word "Board" or **"Board"** and insert in lieu thereof the word **"board"**; and in said sections strike therefrom the word "Governor" or **"Governor"** and insert in lieu thereof the word **"governor"**; and in said sections strike therefrom the words "Secretary of State" or **"Secretary of State"** and insert in lieu thereof the words **"secretary of state"**; and amend each of said sections by striking therefrom the word "legislature" or **"legisla-**

ture", wherever the same may appear, and insert in lieu thereof the word **"Legislature".**

II. Amend the bill (cited above), page 2, Section 1, line 34 by striking the punctuation "," after the word **"officers"** and by inserting in lieu thereof the punctuation ";" ; and in said line 34 insert the punctuation "," after the word **"further"** and before the word **"the"** therein.

III. Amend the bill (cited above), pages 3, 4, 5, 6, 7, 8, 9, 10 and 11 (Sections 2 to 17, inclusive), line 1 of each of said sections, respectively, by striking the first word "Section" and by inserting in lieu thereof the abbreviation and punctuation "Sec.".

IV. Amend the bill (cited above), page 4, Section 3, by striking all of lines 1 and 2 therein and by inserting in lieu thereof the following:

"Sec. 3. That Sec. 53-324, Comp. St. Supp., 1937, be amended to read as follows:".

V. Amend the bill (cited above), page 5, Section 4, by striking all of lines 1 and 2 therein and by inserting in lieu thereof the following:

"Sec. 4. That Sec. 76-909, Comp. St. Supp., 1937, be amended to read as follows:".

VI. Amend the bill (cited above), page 5, Section 4, line 4, by striking the word "Commissioner" and by inserting in lieu thereof the word **"commissioner".**

VII. Amend the bill (cited above), page 5, Section 4, line 14, by striking therefrom the words **"State Real Estate Commissioner's Fund"** and by inserting in lieu thereof the following:

"state real estate commissioner's fund".

VIII. Amend the bill (cited above), page 5, Section 6, by striking all of lines 1 and 2 therein and by inserting in lieu thereof the following:

"Sec. 6. That Sec. 81-103, Comp. St. Supp., 1937, be amended to read as follows:"

IX. Amend the bill (cited above) page 6, Section 8, by striking all of lines 1 and 2 therein and by inserting in lieu thereof the following:

"Sec. 8. That Sec. 71-3218, Comp. St. Supp., 1937, be amended to read as follows:".

X. Amend the bill (cited above) page 7, Section 9, by striking all of lines 1 and 2 therein and by inserting in lieu thereof the following:

"Sec. 9. That Sec. 7-3222, Comp. St. Supp., 1937, be amended to read as follows:".

XI. Amend the bill (cited above) page 8, Section 9, line 14, by striking therefrom the word and section symbol **"Section 71-3218"** and by inserting in lieu thereof the following:

"Sec. 71-3218, Comp. St. Supp., 1937, as amended by Section 8, Legislative Bill No. 55, Fifty-third Session, Nebraska State Legislature, 1939".

XII. Amend the bill (cited above) page 8, Section 10, by striking all of lines 1 and 2 therein and by inserting in lieu thereof the following:

"Sec. 10. That Sec. 71-3226, Comp. St. Supp., 1937, be amended to read as follows:".

XIII. Amend the bill (cited above) page 8, Section 11, by striking all of lines 1 and 2 therein and by inserting in lieu thereof the following:

"Sec. 11. That Sec. 60-905, Comp. St. Supp., 1937, be amended to read as follows:".

XIV. Amend the bill (cited above) page 9, Section 13, by striking all of lines 1 and 2 therein and by inserting in lieu thereof the following:

"Sec. 13. That Sec. 8-1,124, Comp. St. Supp., 1937, be amended to read as follows:"

XV. Amend the bill (cited above) page 10, Section 14, by striking all of lines 1 and 2 therein and by inserting in lieu thereof the following:

"Sec. 14. That Sec. (a) 8-194, Comp. St. Supp., 1937, be amended to read as follows:".

XVI. Amend the bill (cited above) page 10, Section 14, line 21, by striking the word **"Court"** therein and by inserting in lieu thereof the word **"court".**

XVII. Amend the bill (cited above) page 10, Section 15, by striking all of lines 1 and 2 therein and by inserting in lieu thereof the following:

"Sec. 15. That Sec. 71-3305, Comp. St. Supp., 1937, be amended to read as follows:"

XVIII. Amend the bill (cited above) pages 10 and 11, Section 16, by striking all of said section after the word and punctuation "repealed;" therein and by inserting in lieu thereof the following:

"that said original Secs. 53-324 and 76-909, Comp. St. Supp., 1937, are hereby repealed; that said original Section 44-1110, Compiled

Statutes of Nebraska, 1929, is hereby repealed; that said original Sec. 81-103, Comp. St. Supp., 1937, is hereby repealed; that said original Section 81-108, Compiled Statutes of Nebraska, 1929, is hereby repealed; that said original Secs. 71-3218, 71-3222, 71-3226 and 60-905, Comp. St. Supp., 1937, are hereby repealed; that said original Section 71-2101, Compiled Statutes of Nebraska, 1929, is hereby repealed; that said original Secs. 8-1,124 and (a) 8-194, Comp. St. Supp., 1937, are hereby repealed; and that said original Sec. 71-3305, Comp. St. Supp., 1937, is hereby repealed.".

XIX. Amend the bill (cited above) page 1, title, by striking all of said title commencing with the words "to amend" in line 3 therein down to and including the words "relating to" in line 11, and by inserting in lieu thereof the following:

"to amend Secs. 53-324 and 76-909, Comp. St. Supp., 1937; to amend Section 44-1110, Compiled Statutes of Nebraska, 1929; to amend Sec. 81-103, Comp. St. Supp., 1937; to amend Section 81-108, Compiled Statutes of Nebraska, 1929; to amend Secs. 71-3218, 71-3222, 71-3226 and 60-905, Comp. St. Supp., 1937; to amend Section 71-2101, Compiled Statutes of Nebraska, 1929; to amend Secs. 8-1,124 and (a) 8-194, Comp. St. Supp., 1937; and to amend Sec. 71-3305, Comp. St. Supp., 1937, relating to state officers; to provide for".

XX. Amend the bill (cited above), page 4, Section 2, line 63, by striking the punctuation "," after the word "assistants" therein; and in Section 3, line 5, strike the punctuation "," before the conjunction "and" therein.

XXI. Amend the bill (cited above), page 5, Section 3, line 12, by striking the word **"act"** and by inserting in lieu thereof the word **"Act"**; and on pages 8 and 9, Section 12, lines 6, 24, 25 and 27, strike the word "act" wherever the same appears and in each of said lines insert in lieu thereof the word **"Act"**.

XXII. Amend the bill (cited above), page 5, Section 4, line 9 by striking the punctuation ":" and by inserting in lieu thereof the following: "; : ".

XXIII. Amend the bill (cited above), page 5, Section 5, line 8, by striking the punctuation ":" and by inserting in lieu thereof the punctuation ":"; and on page 6, Section 7, line 20; page 6, Section 8, line 19; page 8, Section 9, line 12 and Section 10, line 9; page 9, Section 12, line 31; page 10, Section 14, line 18; Section 15, line 10; strike the punctuation ":" and insert in lieu thereof the punctuation ":" in each of said lines respectively.

XXIV. Amend the bill (cited above), page 8, Section 11, line 12, by striking the punctuation "," therein and by inserting in lieu thereof the punctuation ",".

XXV. Amend the bill (cited above), page 8, Section 10, line 12, by striking the word **"article"** and by inserting in lieu thereof the word **"Act"**.

XXVI. Amend the bill (cited above) page 8, Section 12, lines 12 and 13, by striking therefrom the punctuation and words "; provided, however" and by inserting in lieu thereof the punctuation and word ": Provided".

XXVII. Amend the bill (cited above) page 9, Section 13, line 5, by striking the punctuation "." and by inserting in lieu thereof the punctuation ":"; and in line 8 strike the punctuation "," after the word "annum" therein.

XXVIII. Amend the bill (cited above) page 9, Section 13, line 10 by striking therefrom the punctuations and word ": Provided," and by inserting in lieu thereof the following: "; and provided".

XXIX. Amend the bill (cited above) page 9, Section 13, lines 11 and 15 by striking the punctuation "," after the conjunction "and" in each of said lines respectively; and in line 19, strike the punctuation "," before the word "examiners" therein.

XXX. Amend the bill (cited above) page 10, Section 14, lines 14 and 16, by inserting the punctuation "," after the word "deputies" in each of said lines respectively.

XXXI. Amend the bill (cited above) page 2, Section 1, line 17, by striking therefrom the words "either branch of"; and on page 2, Section 1, line 45, strike the words "or either branch thereof"; and on page 3, Section 1, lines 55 and 56, strike the words: "either branch of".

XXXII. Amend the bill (cited above) page 9, Section 13, by striking therefrom the figures "$2,400.00", and inserting in lieu thereof the words **"twenty-four hundred dollars"**; and the figures "$3,500.00" and inserting in lieu thereof the words **"thirty-five hundred dollars"**.

XXXIII. Amend the bill, original, page 17, Section 13, lines 29 and 31 by striking the punctuation "," after the word "attorneys" in each of said lines respectively.

XXXIV. Amend the bill (cited above) page 2 (mimeographed copy, May 5, 1939, page 1) by inserting after the words "Introduced by" the names of the introducers: "Jay Hastings of Polk, A. L. Miller of Kimball".

XXXV. Amend the bill (cited above) page 3, Section 2, wherever the words "department of trade and commerce" appear in said section, by striking therefrom the words "trade and commerce" and insert in lieu thereof the word **"insurance"**.

XXXVI. Amend the General File amendments, amendment 1, line 3; amendment 2, line 3; and amendment 3, line 4, by underscoring the inserted words: "as, if and when necessary" in each of said lines respectively.

LEGISLATIVE BILL NO. 447. Replaced on Select File for Specific amendments.

E and R specific amendments to L. B. No. 447:

A. Amend the select file amendments, mimeographed, May 15, 1939, page 2, amendment 3, line 9, by striking therefrom "**section 48-707 (d) (1) or of section 48-707 (c)**" and by inserting in lieu thereof the following:

"**subsections (d) (1) or (c) of the within section, as amended**".

B. Amend the select file amendments (cited above) page 2, amendment 3, lines 22 and 23, by striking therefrom "**section 48-707 (c)**" and by inserting in lieu thereof the following:

"**subsection (c) of the within section, as amended**".

C. Amend the bill, final form on third reading, page 8, Section 2, line 6, by striking therefrom "(9)" and by inserting in lieu thereof "**(l)**" before the punctuation and abbreviation "**, Comp.**" therein.

D. Amend the bill (cited above) page 11, Section 3, lines 45 and 46, by striking therefrom the following:

"(4) **unless Section 4 of this Act (Subsection (f) of**".

E. Amend the bill (cited above) page 16, Section 5, line 44, by striking therefrom "Section 3 of this Act" therein and by inserting in lieu thereof the following:

"**Sec. 48-703, Comp. St. Supp., 1937, as amended.**".

F. Amend the bill (cited above) page 2, title, line 29 by striking therefrom the word "Act" therein and insert in lieu thereof the word "Law".

G. Amend the bill (cited above) page 8, Section 2, line 7 by striking therefrom the word "**whom**" and by inserting in lieu thereof the word "**when**".

H. Amend the bill (cited above) page 8, Section 2, line 8 by striking "(c)" and by inserting in lieu thereof the following:

"**(e)**".

I. Amend the bill (cited above) page 10, Section 3, line 17 by striking therefrom the words **"as amended"** and by inserting in lieu thereof the following:

"as now existing, or as hereafter amended".

J. Amend the bill (cited above), page 12, Section 4, line 3 by inserting after the word "benefits" therein the punctuation ":".

K. Amend the bill (cited above) page 12, Section 4, line 18 by striking therefrom the punctuation ";" and by inserting in lieu thereof the punctuation ";".

L. Amend the bill (cited above) page 12, Section 4, line 24 by restoring the words "wage credits" therein as new matter in said bill.

M. Amend the bill (cited above) page 13, Section 4, line 48 by restoring stricken punctuation and subject matter ":(1)" to the bill.

N. Amend the bill (cited above) page 13, Section 4, line 59 by striking the punctuation "." therein and by inserting in lieu thereof the punctuation ";".

O. Amend the bill (cited above), page 14, Section 4, line 71 by striking the word "beenefits" therein and by inserting in lieu thereof the word "benefits".

P. Amend the bill (cited above) page 14, Section 4, line 75 by striking the punctuation "." after the word **"individual"** and by inserting in lieu thereof the punctuation ";" and in line 80 of said section strike the punctuation "." and insert in lieu thereof the punctuation ";".

Q. Amend the bill (cited above) page 14, Section 4, line 90 by striking therefrom the word "bases" therein and by inserting in lieu thereof the word "basis".

R. Amend the bill (cited above) page 14, Section 4, lines 97, 101 and 104, by striking the punctuation "." wherever the same appears before subsections "(h)" "(i)" and "(j)" in each of said lines respectively and insert in lieu thereof the punctuation ";".

S. Amend the bill (cited above) page 15, Section 5, line 31 by inserting the punctuation "," after the word "account" therein.

T. Amend the bill (cited above) page 17, Section 7, line 7, by re-inserting the stricken ":" therein to the bill.

U. Amend the bill (cited above) page 19, Section 7, line 77, by restoring "Provided," to the bill.

V. Amend the bill cited above page 19, Section 7, lines 83 and 84 by striking therefrom the word "terasurer" and by inserting in lieu thereof the word "treasurer"; and in lines 87 and 88 of said section strike the word "reequiremnts" therein and insert in lieu thereof the word "requirements".

W. Amend the bill (cited above) page 21, Section 8, line 25 by restoring "(1)" therein to the bill; and in line 39 of said section restore ";" to the bill; and in Section 9, line 5, insert the punctuation "-" after the syllable "ad" therein.

X. Amend the bill (cited above) page 23, Section 11, line 17, by striking therefrom the word "positions" and by inserting in lieu thereof the word "petitions".

LEGISLATIVE BILL NO. 76. Replaced on Select File for Specific amendments.

E and R Specific amendments to L. B. No. 76:

A. Amend the unanimous consent amendments, (Van Diest) original, page 1, line 4 by striking the word "act" therein and by inserting in lieu thereof the word "Act".

B. Amend the general file amendments (Van Diest) original, amendment 1, line 2, by striking therefrom the word and punctuation "however,"; and in line 6 of said amendment 1, strike therefrom the word and punctuation "And,"; and in the Tvrdik amendments, original, amendment 1, line 18, strike "Provided" and insert in lieu thereof the following: "; and provided further".

C. Strike the standing committee report to the bill.

LEGISLATIVE BILL NO. 491. Replaced on Select File for Specific amendment.

E and R Specific amendment to L. B. No. 491:

A. Strike General File amendment 2 (Schultz) to line 17 of the printed bill, adopted May 18, 1939, and insert, after the word "district" and before the punctuation "." on page 2, Section 1, line 23 of the original bill (the printed bill, page 2, Section 1, line 18) the same language of General File amendment 1 (Schultz) inserted in line 37 of the printed bill.

LEGISLATIVE BILL NO. 179. Replaced on Select File for Specific amendment.

E and R Specific amendment to L. B. No. 179:

A. Amend the engrossed bill, page 1, title, line 10, (the printed bill (page 1, title, line 7) by inserting after the word "first" and before the word "Tuesday" the following: "Thursday after the first".

Correctly Engrossed

L. B. No. 518	L. B. No. 465	L. B. No. 315	L. B. No. 172
L. B. No. 515	L. B. No. 410	L. B. No. 300	L. B. No. 124
L. B. No. 495	L. B. No. 400	L. B. No. 299	L. B. No. 106
L. B. No. 471	L. B. No. 327	L. B. No. 272	L. B. No. 326

(Signed) Craven, Chairman

SELECT FILE

LEGISLATIVE BILL NO. 133. E and R amendments as found in the Legislative Journal for the Ninety-seventh Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 390. Mr. Doyle offered the following amendment:

Amend the Standing Committee Amendments, April 3, 1939, mimeographed, Amendment 1, Section 1, pages 1 and 2, commencing with subsection 2 of said section, line 13 by striking the words "eight per cent" wherever the same appears throughout said section with reference to the allocation of State Assistance Fund with respect to the cost of the distribution of surplus commodities and by inserting in each reference made thereto respectively the words "six percent".

Laid over.

LEGISLATIVE BILL NO. 173. E and R amendments as found in the Legislative Journal for the Ninety-seventh Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 408. E and R amendments as found in the Legislative Journal for the Ninety-seventh day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 307. Mr. Hall offered the following amendment, which was adopted by unanimous consent:

Amend L. B. No. 307 by striking the words "directed to be merged and consolidated with those functions, powers and duties exercised by" in lines 9, 10 and 11 of Section 1 of the mimeographed bill, and insert in lieu thereof the words "transferred to."

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 235. Laid over.

LEGISLATIVE BILL NO. 104. E and R amendment as found in the Legislative Journal for the Ninety-eighth Day was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 174. Mr. Garber moved to reconsider action on the Peterson amendment, offered on the Ninety-fifth Day and adopted on the Ninety-seventh Day, and that the same be stricken from the bill.

Record vote was requested.

Motion was made to close the debate.

The motion prevailed with 35 ayes, no nays, 8 not voting.

A call of the House was ordered.

The call was raised.

Voting in the affirmative, 17:

Callan
Carlson
Carsten
Doyle
Gantz
Garber
Gross
Hastings
Herrick
Howard
Johnson
Mekota
Mischke
Murphy
Neubauer
Sorrell
Van Diest

Voting in the negative, 20:

Adams, E. A.
Brady
Craven
Diers
Dunn
Gutoski
Hall
Johnston
Klaver
Lambert
Miller
Mueller
Norman
Peterson
Reavis
Reed
Schultz
Thornton
Von Seggern
Westley

Not voting, 6:

Adams, J. Jr.	Brodecky	Thomas
Ashmore	Rossiter	Tvrdik

The Garber motion to reconsider was lost.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 447. E and R Specific amendments as found in this day's Journal were adopted.

Referred to E and R for engrossment.

MOTION—To Limit Debate

Mr. President: I move that beginning on May 24th debate on any one bill be limited to thirty minutes and not more than five minutes to each legislator, unless by majority consent of the Legislature. (Signed) Miller.

After discussion Mr. Gross moved the previous question.

The motion prevailed with 24 ayes, 3 nays, 16 not voting.

Mr. Doyle requested a division of the question.

On the question of limiting the debate on one bill to thirty minutes, the motion was lost with 11 ayes, 26 nays, 6 not voting.

On the question of limiting the debate for each member to five minutes, the motion was lost with 15 ayes, 20 nays, 8 not voting.

Message From Governor

May 22nd, 1939.

To the Members of the Legislature:

Gentlemen:

I am transmitting herewith legislative bill 517, appropriating for the payment of certain claims against the state, with my approval, except as to the specific items enumerated herewith.

I specifically disapprove the following claims for refunds of excess gasoline tax:

Consumers Oil Co., Omaha, Nebraska	$ 767.48
Danbury Oil Co., Danbury, Nebraska	262.28
Deep Rock Oil Corp., Omaha, Nebraska	1,025.17

Gordon Oil Co., Omaha, Nebraska	655.41
Nat'l Refining Co., Omaha, Nebraska	490.82
Nebr., Iowa Oil Co., Blair, Nebraska	75.93
Texas Co., Denver, Colorado	4,719.81
U. S. Oil Works, Inc., Omaha, Nebraska	1,453.00
White Eagle Oil Corp., Omaha, Nebraska	770.90
Standard Oil Co., Omaha, Nebraska	310.48
Sinclair Refining Co., Omaha, Nebraska	957.58

It is to be noted that I found it necessary to disapprove these same items when presented to me by the legislature of 1937. My reasons for disapproval now can be set forth no better than by quoting from my message then:

"I have disapproved these claims for the reason that their allowance at this time would in effect make a state law retroactive in its application. The law of 1929 provided for refunds on gasoline for **tax paid in states other than Nebraska.** Between 1929 and 1931, the period for which refund is claimed, this law was in effect. The tax in Nebraska was four cents per gallon during that period. The tax in states where the gasoline was retailed was three cents per gallon. In 1931, the legislature passed an act providing that the refund should be based on the tax paid in Nebraska rather than that paid in other states, as provided in the 1929 law. In these, oil companies would obtain, if these claims were approved, the benefits of the 1931 law starting in 1929. Obviously they should not be approved. Retroactive legislation is not a good policy, particularly with reference to refunds. It is interesting to note that these claims were presented and disapproved by the legislatures meeting in 1933 and also in 1935."

There has been no change in conditions or new reasons in support of these claims that would warrant any action on my part different than that taken two years ago.

I specifically disapprove the claim of K. H. Gedney Company for architectural work in the sum of $500.00 for the reason that the Board of Education for State Normal Schools has already expressed disapproval of this claim as shown by the following extract from the minutes of the meeting of the Board on October 24, 1938:

"CRITES (E. D. Crites, member of the board): I move that Comptroller Anderson be instructed to communicate with Mr. Gedney that the Board recognizes no indebtedness to the K. H. Gedney Company and that the Dormitory Corporation in existence at the times he mentions is now dissolved and no longer in existence. KNAPP (F. S. Knapp, member of the board) seconded and motion carried."

Inasmuch as this constitutional board is charged with the responsibility of administering all affairs in connection with the four state normal schools and is presumed to be in full possession of all facts with reference to this claim, I do not feel that I should presume to exercise a judgment contrary to that of the board.

Respectfully submitted,

(Signed) R. L. Cochran
Governor

Unanimous Consent Granted to Amend

On request by Mr. Schultz, unanimous consent was granted to instruct the Enrollment and Review Committee to amend L. B. No. 282 as follows:

Section 1, Line 3, following the word "Governor" insert the following "not more than two from any one congressional district".

Section 1, Line 2, strike the word "five" and insert the word "six".

Section 1, Line 6, strike the words "one for a term of one (1)" and insert in lieu thereof the following: "two for a term of one".

Section 1, Line 11, strike the word "four" and insert the word "five".

Section 1, Line 13, strike the word "other" and insert the word "sixth."

GENERAL FILE

LEGISLATIVE BILL NO. 521. Mr. Brodecky offered the following amendment, which was adopted:

At the close of Sec. 2, include
"Clerk of Legislature salary for biennium
ending June 30, 1941 ....$ 7,200.00"

Mr. Mekota offered the following amendments:

Amend Sec. 32 as follows:

Strike the figures 256,300.00 in line 9, and substitute in lieu thereof the figures 228,524.00.

Strike the figures 298,730.00 as amended in line 15 and substitute in lieu thereof the figures 256,432.00.

Strike the figures 267,430.00 in line 22, and insert in lieu thereof the figures 235,430.00.

Strike the figures 297,123.00 as amended in line 31 and insert in lieu thereof the figures 248,253.00.

Record vote was requested.

A call of the House was ordered.

The call was raised.

Voting in the affirmative, 19:

Adams, E. A.
Ashmore
Brady
Callan
Doyle
Gutoski
Hall
Hastings
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Mischke
Murphy
Norman
Thornton
Westley

Voting in the negative, 21:

Brodecky
Carlson
Carsten
Craven
Diers
Dunn
Gantz
Garber
Gross
Miller
Mueller
Neubauer
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Van Diest
Von Seggern

Not voting, 3:

Adams, J. Jr.
Herrick
Tvrdik

The amendments were not adopted.

Recess

At 12:05 p. m. on motion by Mr. Mueller the Legislature recessed until 2:00 p. m.

After Recess

The Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present.

Visitor

The Chair appointed Messrs. Lambert, Reavis, Craven, Brady, Gross and Sorrell to escort Mr. Douglas "Wrong-way" Corrigan to the rostrum, where he was introduced by President Johnson and addressed the Legislature briefly.

GENERAL FILE

LEGISLATIVE BILL NO. 521. Mr. Gutoski and Mr. Hall offered the following amendments and moved their adoption:

Amend Sec. 32 as follows:

Strike the figures $256,300.00 in line 9 and insert in lieu thereof the figures $242,412.00.

Strike the figures $298,730.00 as amended in line 15 and insert in lieu thereof the figures $277,581.00.

Strike the figures $267,430.00 in line 22 and insert in lieu thereof the figures $251,430.00.

Strike the figures $297,123.00 in line 31 as amended and insert in lieu thereof the figures $272,638.00.

After discussion Mr. Reavis moved the previous question.

The motion prevailed with 33 ayes, no nays, 10 not voting.

Record vote was requested.

Voting in the affirmative, 20:

Adams, J. Jr.
Brady
Callan
Craven
Diers
Doyle
Garber
Gutoski
Hall
Hastings
Herrick
Howard
Johnston
Lambert
Mekota
Mischke
Murphy
Norman
Thornton
Westley

Voting in the negative, 19:

Adams, E. A.
Brodecky
Carlson
Carsten
Dunn
Gantz
Gross
Johnson
Klaver
Mueller
Neubauer
Peterson
Reavis
Reed
Rossiter
Sorrell
Thomas
Tvrdik
Von Seggern

Not voting, 4:

Ashmore
Miller
Schultz
Van Diest

The amendment was adopted.

Messrs. Craven, Callan and Klaver offered the following amendment:

Page 15, Section 42, amend by striking the following words out of lines 4 and 5, to-wit: "All gas tax funds not otherwise appropriated", and inserting after the word "and" at the end of line 29, page 16, the following: "Provided further, that all funds that accrue from the 80 % of the gas tax which are not credited and do not accrue to the State Assistance Fund not otherwise appropriated are hereby appropriated to the Department of Roads and Irrigation".

Mr. Brady moved that the amendment be mimeographed and placed on the desks of the members, before taking action.

The motion prevailed.

Mr. Murphy offered the following amendment which was adopted:

Amend Sec. 31, line 5, by striking the comma after the word North Platte and adding the words "and Scottsbluff,"

MOTION—To Dispose of Selected Bills

Mr. President: In consideration of the fact that by a majority vote of this Legislature it was agreed that every member of this Legislature be given the privilege of selecting a bill to be placed at the head of the general file; and in consideration of the fact that in accordance with that motion every member did select a bill to be so placed; and in consideration of the further fact that to date this Legislature has considered and taken action on sixteen of these bills so selected; we move that in all fairness to each and every member of this Legislature, his district, and the state as a whole, all the bills so selected be disposed of before this Legislature adjourns sine die.

(Signed by the following members)

Sorrell
Hastings
Neubauer
Mueller
Doyle
Craven
Howard
Carsten
Van Diest
Brodecky
Gross
Gutoski
Hall
Mischke
Garber
Johnston
Thomas
Diers
Von Seggern
Westley
Miller
Lambert
Adams, J. Jr.

The motion prevailed.

Adjournment

At 3:55 p. m. on motion by Mr. Tvrdik the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

ONE-HUNDREDTH DAY

Legislative Chamber,
Lincoln, Nebraska, May 24, 1939.

The Legislature met at 9:00 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Thomas who was excused.

The Journal for the Ninety-ninth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Hastings, one, favoring L. B. No. 12; Mr. Van Diest, one, regarding renewals of farm loans in Nebraska; all members one, favoring L. B. No. 256 and opposing gas tax exemption in any form.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 104. Correctly reengrossed.

LEGISLATIVE BILL NO. 447. Correctly reengrossed.
(Signed) Craven, Chairman.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 36. Purchase of Argentina Beef.

Introduced by Garber of Webster.

WHEREAS, in the confusion of depression cattle and hogs have been slain by executive planning for the purposes of reducing surpluses and raising livestock prices to the producers and meat prices to the consumers, and

WHEREAS, by this national planning the attempt is made to remove 30% of our fertile farm lands from crop production for the purposes of reducing surpluses and raising grain prices to the producers and bread prices to the consumers, and

WHEREAS, the Wagner Labor Relations Act, the Wage-hour Law, the Unemployment Insurance Law, the Undistributed Profits Tax, and similar laws creating a planned society with social security, were promoted through congress as "must legislation", and

WHEREAS, the recent laws creating a planned society with social security freeze increased costs of living and vaporize purchasing power, and

WHEREAS, Nebraska produces more cattle than Wyoming or Colorado and one third as many as Texas; now therefore be it

RESOLVED—That the Nebraska Legislature now in 53rd Session hereby expresses disappointment in the action of the President of the United States and deplores his purchase of 24 tons of canned beef in Argentina, South America, for the navy, for the reasons he offers, viz —that Argentina beef is eight cents per pound cheaper and better quality, and be it

RESOLVED—That the Nebraska Legislature begs to be advised by the President how his purchase of Argentina beef on the bargain counter of the world can be correlated with his enacted program of planned society with social security under his revised economic laws which freezes unbalanced, inflated prices and prolongs our unparalleled national distress; and be it further

RESOLVED—That a copy of this resolution be mailed by the clerk to the White House.

Under the rules the resolution was laid over one day.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 127. (With emergency clause)

A bill for an Act relating to statutes and laws; to provide for the compilation, authentication, publication and sale of a 1939 cumulative supplement to the Compiled Statutes of Nebraska, 1929; to direct the Clerk of the Supreme Court as State Librarian under the supervision of the Supreme Court to arrange or contract for the same without cost to the state; to fix a maximum retail price for such supplement; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thornton
Tvrdik
Van Diest
Von Seggern

Voting in the negative, 0.

Not voting, 5:

Adams, E. A.
Diers
Murphy
Thomas
Westley

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL NO. 390. Mr. Schultz offered the following amendment, which was adopted by unanimous consent:

Page 1, Section 1, Line 11, following the word "fund" insert the following:

Provided, the term "need", as used in Chapters 43 and 68, Compiled Statutes of Nebraska for 1929, as amended, or applied in the administration of the public assistance laws of the State, shall mean the need for assistance based upon the budgetary deficiency requirements of a needy individual eligible for assistance under said assistance laws, determined upon proper investigation and necessary for his maintenance in decency and health taking into consideration his requirements for rent, food, clothing, shelter, fuel, light, water, household equipment, and supplies, health, education, and such other factors as may be pertinent.

Mr. Diers offered the following amendment, which was adopted by unanimous consent:

Amend Sec. 1, subsection 2, line 6, by inserting after the word "services," the following: "including Boarding home care," and amend the same subsection by striking the words "one hundred forty-three" and inserting the words "one hundred seventy-eight".

Mr. Doyle asked that his amendment, offered on the Ninety-ninth Day be adopted by unanimous consent.

Objection was raised by Mr. Diers.

Mr. Doyle moved that the rules be suspended, that vote be taken on the amendment, and that the amendment be adopted.

The motion was lost with 21 ayes, 6 nays, 16 not voting.

Mr. Doyle moved that the bill be returned to General File with the said Specific amendment attached.

The motion prevailed with 22 ayes, 7 nays, 14 not voting.

LEGISLATIVE BILL NO. 235. Passed over.

LEGISLATIVE BILL NO. 331. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 520. E and R amendments as found in the Legislative Journal for the Ninety-ninth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 431. E and R amendments as found in the Legislative Journal for the Ninety-ninth Day were adopted.

Mr. Rossiter offered the following amendment, which was adopted by unanimous consent:

Amend the General File Amendments, May 12, 1939, mimeographed (Schultz) page 1, Amendment 1, by striking that part of said amendment commencing with the words "The money" in line 20 down to and including the word and punctuation "provide." in line 25.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 55. Mr. Von Seggern moved to indefinitely postpone.

After discussion, Mr. Herrick moved the previous question.

The motion prevailed with 22 ayes, 11 nays, 10 not voting.

Vote was taken on Mr. Von Seggern's motion and the same was lost with 15 ayes, 20 nays, 8 not voting.

E and R amendments as found in the Legislative Journal for the Ninety-ninth Day were adopted.

Mr. Craven moved to refer to E and R for engrossment.

After discussion, the previous question was moved.

The motion prevailed with 32 ayes, 2 nays, 9 not voting.

Mr. Van Diest moved to lay the bill on the table.

The motion was lost with 13 ayes, 20 nays, 10 not voting.

Vote was taken on Mr. Craven's motion to refer to E and R for engrossment and the motion prevailed with 23 ayes, 9 nays, 11 not voting.

LEGISLATIVE BILL NO. 76. E and R amendments as found in the Legislative Journal for the Ninety-ninth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 491. E and R amendment as found in the Legislative Journal for the Ninety-ninth Day was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 179. E and R amendment as found in the Legislative Journal for the Ninety-ninth Day was adopted.

Referred to E and R for engrossment.

MOTION—To Raise Bill from Standing Committee

Mr. President: I move that L. B. No. 463 be taken from the standing committee and placed on General File following L. B. No. 392. (Signed) Miller, Gutoski.

After discussion Mr. Dunn moved the previous question.

The motion prevailed with 32 ayes, 1 nay, 10 not voting.

The Miller-Gutoski motion was lost with 9 ayes, 18 nays, 16 not voting.

GENERAL FILE

LEGISLATIVE BILL NO. 521. Messrs. Craven, Callan and Klaver withdrew their amendment offered on the Ninety-ninth Day.

Mr. Craven and Mr. Brady offered the following amendment, which was adopted:

Amend L. B. No. 521, page 15 of the printed bill, Sec. 42 by striking the words "All gas tax funds not otherwise appropriated" from lines 4 and 5 and inserting in lieu thereof the following words: "All gas tax funds that accrue from 80% of the gas tax and that are not otherwise appropriated are hereby appropriated to the Department of Roads and Irrigation."

Mr. Klaver offered the following amendments:

Amend Sec. 50, State Assistance Fund, line 15 by striking out the amount of $8,226,000.00 and insert therein the amount $8,500,000.00.

Amend line 20 of the same section by striking out the amount of $164,520.00 and insert therein the amount of $170,000.00.

Amend line 22 of the same section by striking out the amount of $8,061,480.00 and insert in lieu thereof the amount of $8,330,000.00.

Member Excused

Mr. Hail was excused at 11:00 a. m. for the rest of the day.

Recess

At 12:12 p. m. on motion by Mr. Tvrdik the Legislature recessed until 2:00 p. m.

After Recess

The Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present except Mr. Hall and Mr. Thomas who were excused.

GENERAL FILE

LEGISLATIVE BILL NO. 521. Mr. Klaver renewed his motion to adopt his amendments offered in the morning session.

After discussion Mr. Carsten moved the previous question.

The motion prevailed with 34 ayes, no nays, 9 not voting.

Record vote was requested on the Klaver amendments.

A call of the House was ordered. The call was raised.

Voting in the affirmative, 20:

Adams, E. A.
Adams, J. Jr.
Callan
Craven
Doyle
Gantz
Garber
Gutoski
Hastings
Herrick
Johnson
Johnston
Klaver
Lambert
Mueller
Neubauer
Sorrell
Tvrdik
Van Diest
Westley

Voting in the negative, 20:

Ashmore
Brady
Brodecky
Carlson
Carsten
Diers
Dunn
Gross
Mekota
Miller
Mischke
Murphy
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Thornton
Von Seggern

Not voting, 3:

Hall
Howard
Thomas

The President exercised his privilege, voted no, and announced the amendment was lost.

Explanation of Vote

I shall sustain the members of the Appropriation Committee in their effort to provide reasonable funds for public assistance while holding down state expenditures. I vote "No". (Signed) William E. Johnson.

Explanation of Vote

Mr. President: I vote aye, as I am in favor of raising the old age assistance for the next biennium $500,000.00. (Signed) Doyle.

Mr. President: I voted aye on this amendment, raising the appropriation from $8,226,000.00 to $8,500,000.00 so the aged, the blind and dependent children can eat and have a decent place to sleep. (Signed) Klaver.

Member Excused

Mr. Craven was excused for the remainder of the day and for Thursday.

Mr. Murphy offered the following amendment, which was adopted:

Amend L. B. 521, Sec. 14, Line 3 to strike the figure $16,000 and insert the figure $30,000; and in line 6 to strike the figure $20,000 and insert the figure $22,700 plus unexpended balance.

Mr. Brady offered the following amendments, which were adopted:

1. Amend the printed bill, page 6, Section 12, line 10 by striking therefrom the figures "52,750.00" therein and by inserting in lieu thereof the following: "66,755.64".

a. Amend the printed bill, page 12, Section 33 by inserting immediately after line 24 thereon the following:

"Norfolk State Hospital

Reappropriate unexpended balance, as of June 30, 1939, for elevator and hydrotherapy equipment, Aud. Acct. No. 635, no estimate.

Hospital for Tuberculosis, Kearney.

Reappropriate unexpended balance, as of June 30, 1939, for power house and equipment, Aud. Acct. No. 565, no estimate."

b. Amend the printed bill, page 20, Section 50, line 20 by inserting after the word and punctuation "Administration," therein the following: "not to exceed"; and in said line 20 after the figure, abbreviation and punctuation "2%," therein insert: "estimated".

c. Amend the printed bill, page 20, Section 50, line 21 by striking therefrom the following: the punctuation ";" after the word "ance" therein and also "(c)" after the conjunction "and" and before the preposition "for" therein; and on page 21, Section 50, line 26 of the printed bill insert the punctuation and word ", estimated" after the following: "352-A)" therein.

d. Amend the printed bill, page 23, Section 54, line 10 by inserting after the figures "502" therein the punctuation and word ", estimated"; and immediately following 14 of said Section 54 on page 23 insert the following:

"Federal Funds.

Appropriate all cash received from federal government and reappropriate all unexpended balances in federal funds, as of June 30, 1939, no estimate."

Mr. Mekota offered the following amendment, which was adopted:

Amend Section 42, of L. B. 521 by inserting after the word "general" and before the word "for" in line 10 the following; "and subject to the approval of the State Engineer".

Mr. Carsten and Mr. Tvrdik offered the following amendment, which was adopted:

Amend the printed bill, page 17, Section 42, by inserting immediately after line 63 therein the following:

"Purchase or condemnation for state highway system intra-state toll bridges.

Appropriate or reappropriate, as the case may be, out of Gasoline Tax Fund, as directed in Legislative Bill No. 100, not exceeding $63,000.00."

Mr. Dunn offered the following amendment, which was adopted:

Amend Sec. 52, page 22, line 9 by adding the word "estimated" after the word receipts.

Also add the word "estimated" after the word "hand" in line 11.

Mr. Callan offered the following amendment, which was adopted:

Amend Sec. 51, line 13, after the word facilities add "or leasing by the Aeronautics Commission".

Messrs. Dunn, Reavis and Gantz offered the following amendment, which was adopted with 17 ayes, 16 nays, 10 not voting:

1. Amend the printed bill, page 2, Section 4, line 2 by inserting immediately after the word "judges" the following:

"and for any unpaid expenses incurred in the performance of official duties during period beginning July 1, 1935 and ending June 30, 1937, not to exceed $1,044.29".

Laid over.

Unanimous consent was granted to revert to Select File.

SELECT FILE

LEGISLATIVE BILL NO. 235. E and R amendment as found in the Legislative Journal for the Ninety-eighth Day was adopted.

Mr. Callan offered the following amendments:

X. Amend the bill, Final Form on Third Reading, page 4, Section 2, line 3 by inserting immediately after the section symbol and punctuation "66-411." and before the word "All" therein the following:

"(A)."

Y. Amend the bill (cited above) page 6, Section 2, line 95, by inserting immediately after the word and punctuation "bridges." therein the following:

"(B). Notwithstanding any more general law respecting the Gasoline Highway Fund or the Gasoline Tax Fund, up to and including June 30, 1939, said funds shall be allocated as follows: All sums of money received under this Act by the State Treasurer shall be placed by him in a fund to be known as the Gasoline Tax Fund. Until June 30, 1939, ten per cent of said fund shall be credited and shall inure to the State Assistance Fund; thirty per cent of said fund shall be, by the State Treasurer, upon the first day of each month transferred to the various county treasurers of the state in the proportion that the total motor vehicle registration of the county bears to the total motor vehicle registration of the State, computed on the basis of the motor vehicle registration for the previous calendar year. Said moneys, so transferred to the various county treasurers shall be allocated as follows: (1) Ten per cent to be credited to the road fund of the cities and incorporated villages within said county in the proportion that the total population of each city or village, based on the last federal census, bears to the total population of all the cities and incorporated villages within said county, and the sum of money so allocated shall be used solely by each city or incorporated village for constructing street improvements; and (2) Twenty per cent to be credited to the county bridge fund, and if any portion thereof be not required for bridges it shall be used to pay the interest on and to retire any outstanding county road or highway construction bonds of the county, and the balance thereof, if any, shall be credited to the County Road Fund; and (3) The remainder, seventy per cent to be credited to the County Road Fund, to be used by the County Board for the purpose of maintaining, grading, graveling, regraveling, claying, littering, oiling, or paving, and for no other purpose whatsoever: Provided, that thirty-five per cent of the money so transferred shall be used by the county treasurer to pay the interest on and retire any existing or outstanding county Highway Construction Bonds, and the balance, if any, shall be credited to the County Road Fund. Sixty per cent of the Gasoline Tax Fund shall be transferred by the State Treasurer on the first day of each month to the Department of Roads and Irrigation. (a) One-sixth of said sixty per cent of said fund shall be, by the Department of Roads and Irrigation, placed in a special fund and shall be apportioned to the credit of the several counties of the state as follows: One-third in the ratio which the area of each county bears to the total area of the state; one-third in the ratio which the mileage of rural delivery and star routes in each county bears to the total mileage of rural delivery and star routes in the state; one-third in the ratio which the number of motor vehicle registrations of each county bears to the total number of motor vehicle registrations of the state, the number of such registrations to be determined as of the next calendar year preceding the year in which such apportionment is made. The Department of Roads and Irrigation shall, during the calendar year in which this Act becomes a law, select forty-seven counties of this state and during said calendar year and during the first six months of the calendar year 1939, use and expend the special fund so apportioned to the credit of each of said counties in conjunction with federal funds, furnished for the purpose, to construct in said counties farm-to-market roads connecting with federal or state highways; and during the calendar year 1938, the Department of Roads and Irrigation shall use and expend the special funds so apportioned to the credit of each of the other forty-six counties in conjunction with federal funds, furnished for the purpose, to construct in said counties farm-to-market roads connecting with fereral or state highways: No more of such special funds shall be expended in any county than is necessary for the purposes set forth in this subsection (a) of this section, and any part of said special fund which is not used for such purposes shall be used by the Department of Roads and Irrigation for the state and federal highway purposes hereinafter set forth in subsection (b) of this section. (b) Five- sixths of said sixty per cent of said fund shall be expended by the Department of Roads and Irrigation for the specific uses and purposes as follows: For acquiring real estate, road materials, equipment, and supplies to be used in the construction, reconstruction, improvement, and maintenance of federal or state highways; for the construction, reconstruction, improvement and maintenance of state or federal highways including grading, drainage, structures, surfacing, roadside development including landscaping, and other incidentals necessary for proper completion and protection of federal or state highways as the department shall, after investigation find and determine shall be for the best interests of the highway system of the state, either independent of or in conjunction with federal aid money for highway purposes; and for planning studies in conjunction with federal highway funds for the purpose of analyzing traffic problems and financial conditions and problems relating to state, county, township, municipal, federal and all other roads in the state: Provided,

that no part of the moneys received under this Act shall be expended for or upon interstate bridges.".

Z. Amend the bill (cited above) title, page 1, line 14, by inserting after the word and punctuation "roads;" therein the following:

"to provide for the allocation of the Gasoline Highway Fund or the Gasoline Tax Fund up to and including June 30, 1939;".

Adjournment

At 5:45 Mr. Diers moved that the rules be suspended and that the Legislature adjourn until 8:00 a. m. Thursday.

A call of the House was ordered.

The call was raised.

The motion prevailed with 30 ayes, no nays, 13 not voting.

Hugo F. Srb,
Clerk of the Legislature.

ONE-HUNDRED FIRST DAY

Legislative Chamber,
Lincoln, Nebraska, May 25, 1939.

The Legislature met at 8:04 a.m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Craven who was excused.

The Journal for the One Hundredth Day was approved.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 36. Mr. Garber moved its adoption.

The motion was lost.

Unanimous Consent Requested

Mr. President: I ask unanimous consent to defer Third Reading at this time and to take up bills on Select File and then General File. (Signed) Gantz.

No objection was raised.

SELECT FILE

LEGISLATIVE BILL NO. 235. Passed over.

GENERAL FILE

LEGISLATIVE BILL NO. 521. Mr. Mekota offered the following amendment, which was adopted:

Sec. 19, page 8, insert after the word "general" and before the word "first" in line 11, the following: "and with the approval of said board".

Mr. Mekota offered the following amendments:

1. Sec. 38, page 13, strike the figures $7,000.00 in line 11 and insert in lieu thereof the figures $3,000.00.

2. Strike the figures $310,000.00 in line 14 and insert in lieu thereof the figures $306,000.00.

3. Insert after the word "general" and before the word "for" in line 12, the following: "and subject to the approval of said director".

A division of the question was requested.

The vote was taken on paragraph 3 of the amendments.

Paragraph 3 of the amendments was adopted with 28 ayes, no nays, 15 not voting.

Vote was taken on the first two paragraphs.

Record vote requested.

Voting in the affirmative, 13:

Callan
Carlson
Doyle
Dunn
Gantz
Gross
Gutoski
Hastings
Herrick
Mekota
Sorrell
Van Diest
Von Seggern

Voting in the negative, 23:

Adams, E. A.
Ashmore
Brady
Brodecky
Carsten
Diers
Garber
Hall
Johnson
Johnston
Klaver
Miller
Mischke
Mueller
Murphy
Norman
Peterson
Reavis
Reed
Schultz
Thomas
Thornton
Tvrdik

Not voting, 7:

Adams, J. Jr.
Craven
Howard
Lambert
Neubauer
Rossiter
Westley

Paragraphs 1 and 2 were not adopted.

Mr. Mekota offered the following amendments:

1. To amend Sec. 47, as amended, as follows: Strike the figures $6,000.00 from the Brady amendment appearing on page 1190 of the Legisative Journal, and insert in lieu thereof the figures $2,000.00.

2. Insert after the word "general" in said Brady amendment the following: "to be expended with the approval of said commission".

A division of the question was asked.

Paragraph 2 was adopted.

Paragraph 1 was adopted with 17 ayes, 14 nays, 12 not voting.

Mr. Mischke offered the following amendment:

Amend page 5, printed bill, Sec. 11, line 16, by striking 55,000.00 and inserting in lieu thereof 80,000.00.

Speaker Diers presiding.

Record vote was requested.

Voting in the affirmative, 18:

Adams, E. A.
Adams, J. Jr.
Dunn
Gantz
Gross
Gutoski
Herrick
Howard
Johnson
Johnston
Mischke
Neubauer
Reed
Rossiter
Schultz
Tvrdik
Van Diest
Westley

Voting in the negative, 10:

Brady
Callan
Garber
Hastings
Lambert
Murphy
Peterson
Reavis
Thomas
Thornton

Not voting, 15:

Ashmore
Brodecky
Carlson
Carsten
Craven
Diers
Doyle
Hall
Klaver
Mekota
Miller
Mueller
Norman
Sorrell
Von Seggern

The amendment was adopted.

Mr. Dunn moved that the Legislature reconsider its action on the Dunn-Reavis-Gantz amendment which was adopted on the One Hundredth Day.

The motion prevailed with 35 ayes, no nays, 8 not voting.

Unanimous consent was granted to withdraw said amendment.

Mr. Ashmore offered the following amendment, which was adopted:

Amend Sec. 7, page 3, line 17, by striking the figures 28,880.00 and inserting in lieu thereof 31,106.00.

Mr. Hall offered the following amendment, which was adopted:

Sec. 41, line 7, add after the words "attorney general" the following; "subject to the approval of the department".

President Johnson presiding.

Mr. Brady offered the following amendment, which was adopted:

Page 6, Sec. 14, lines 5 and 6, strike the word "reappropriate" and insert in lieu thereof the word "appropriate".

Referred to E and R for review.

Recess

At 11:50 a. m. on motion by Mr. Lambert, the Legislature recessed until 2:00 p. m.

After Recess

The Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present except Mr. Craven who was excused.

MOTION—To Suspend Rules and Take Up Third Readings

Mr. President: I move that we suspend the rules and take up Bills on Third Reading. Ernest A. Adams.

Having failed to receive a two-thirds majority, the motion was lost with 15 ayes, 8 nays, 20 not voting.

GENERAL FILE

LEGISLATIVE BILL NO. 390. Mr. Doyle's Specific amendment offered on the Ninety-ninth Day and placed on General File on the One Hundredth Day was considered.

Record vote was requested.

A call of the House was ordered.

The call was raised.

Voting in the affirmative, 12:

Adams, J. Jr.
Doyle
Gross
Hastings
Herrick
Klaver
Lambert
Mekota
Mueller
Neubauer
Van Diest
Westley

Voting in the negative, 16:

Ashmore
Brodecky
Callan
Carlson
Diers
Dunn
Gantz
Garber
Hall
Miller
Murphy
Peterson
Reavis
Rossiter
Thomas
Von Seggern

Not voting, 15:

Adams, E. A.
Brady
Carsten
Craven
Gutoski
Howard
Johnson
Johnston
Mischke
Norman
Reed
Schultz
Sorrell
Thornton
Tvrdik

The amendment was not adopted.

Referred to E and R for engrossment.

Explanation of Vote

Mr. President: I vote aye on the amendment to L. B. 390 as this would increase the old age assistance $236,000.00 for the next biennium. (Signed) Doyle.

LEGISLATIVE BILL NO. 301. Mr. Ashmore moved the adoption of his Specific amendment, found in the Legislative Journal for the Ninety-seventh Day.

The motion was lost with 15 ayes, 23 nays, 5 not voting.

Referred to E and R for engrossment.

MOTION—To Send Telegram to Secretary of Agriculture

Mr. President: I move the Clerk of the Legislature send the following telegram to Henry A. Wallace, Secretary of Agriculture, as an expression of this Legislature:

"Lincoln, Nebraska
May 25, 1939

Honorable Henry A. Wallace
Secretary of Agriculture
Washington, D. C.

Protest suggested discriminatory 1939 winter wheat loan value as between Omaha and Kansas City. Recommend identical loan value. Nebraska Legislature" (Signed) Brady.

The motion prevailed.

MOTION—To Suspend Rules and Consider Bills on Select File

Mr. President: I move that the rules be suspended and that we consider bills on Select File. (Signed) Callan.

The motion prevailed with 34 ayes, no nays, 9 not voting.

SELECT FILE

LEGISLATIVE BILL NO. 235. Mr. Callan offered the following amendment, which was adopted by unanimous consent:

Amend the Callan amendment, Legislative Journal, One-hundredth Day, Amendment Z, line 3, by inserting immediately preceding the preposition "to" therein the following: "to provide that thirty per cent of the Gas Tax Fund shall be transferred to the various counties in the proportions and for the purposes specified in said section;".

The Callan amendment, found in the Legislative Journal for the One-hundredth Day, as amended, was adopted by unanimous consent.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL NO. 107. Mr. Carlson moved the adoption of his amendments as found in the Legislative Journal for the Ninety-sixth Day.

The motion prevailed.

Mr. Mekota moved to indefinitely postpone.

The motion prevailed.

LEGISLATIVE BILL NO. 509. Ernest A. Adams moved to indefinitely postpone.

The motion prevailed.

LEGISLATIVE BILL NO. 221. Passed over.

LEGISLATIVE BILL NO. 86. Unanimous consent was granted to remove the name of Harry E. Gantz as an introducer.

Mr. Diers moved to refer to E and R for review.

Mr. Herrick moved to indefinitely postpone.

The motion was lost with 18 ayes, 20 nays, 5 not voting.

Record vote was requested on Mr. Diers' motion.

Voting in the affirmative, 21:

Adams, E. A.
Adams, J. Jr.
Brodecky
Carsten
Diers
Dunn
Gutoski
Hall
Johnston
Klaver
Miller
Murphy
Norman
Reavis
Reed
Schultz
Sorrell
Thomas
Tvrdik
Van Diest
Westley

Voting in the negative, 17:

Ashmore
Brady
Callan
Carlson
Doyle
Garber
Gross
Herrick
Lambert
Mekota
Mischke
Mueller
Neubauer
Peterson
Rossiter
Thornton
Von Seggern

Not voting, 5:

Craven
Gantz
Hastings
Howard
Johnson

Referred to E and R for review.

LEGISLATIVE BILL NO. 221. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Forty-third Day were adopted.

Mr. Peterson offered the following amendment, which was adopted:

Amend L. B. No. 221 by inserting the word "initial" following the word "for", line 9, Sec. 3, page 2, printed bill, and before the word "registration".

Referred to E and R for review.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 331. Correctly engrossed.
(Signed) Klaver, Vice Chairman.

Adjournment

At 4:54 p. m. Mr. Hall moved that the rules be suspended and the Legislature adjourn until 8:30 a. m. Friday.

The motion prevailed with 30 ayes, 8 nays, 5 not voting.

Hugo F. Srb,
Clerk of the Legislature.

ONE-HUNDRED SECOND DAY

Legislative Chamber,
Lincoln, Nebraska, May 26, 1939.

The Legislature met at 8:30 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Reavis who was excused.

The Journal for the One-hundred First Day was approved.

PETITIONS AND MEMORIALS

Mr. Brady introduced a petition opposing L. B. No. 495.

MOTION—To Meet on Saturday and Tuesday

Mr. President: I move that we meet on Saturday the 27th and Tuesday the 30th. Gross.

The motion prevailed with 31 ayes, 4 nays, 8 not voting.

Program—Memorial Day

Mr. President: I move that a committee of three be appointed by the Chair to arrange a suitable memorial service, Tuesday May Thirtieth. (Signed) Schultz.

The motion prevailed, and the President appointed the following members to serve on said committee:

Schultz, Chairman Gross Westley

MOTION—To Employ Additional Attorney

Mr. President: I move that the Committee on Enrollment and Review be authorized to employ an additional attorney, as, if and when necessary, during the remainder of the session, at a salary not to exceed $20.00 per day. (Signed) Craven.

The motion prevailed.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 372. Placed on Select File with amendments.

E and R amendments to L. B. No. 372:

I. Amend the original bill, page 1, Section 1, line 4 (the printed bill, page 1, Section 1, line 3) by striking the word "State" therein and by inserting in lieu thereof the word **"state"**.

II. Amend the original bill, page 2, Section 1, line 22 (the printed bill, page 2, Section 1, line 17) by striking therefrom the words **"free hold"** therein and by inserting in lieu thereof the word **"freehold"**.

III. Amend the original bill, page 4, Section 3, line 21 by striking therefrom the word "summonded" and by inserting in lieu thereof the word "summoned".

IV. Amend the original bill, page 5, Section 4, line 18 (the printed bill, page 3, Section 4, line 13) by inserting immediately after the figures and punctuation **"1929,"** therein the following:

"as amended by Section 1, Legislative Bill No. 372, Fifty-third Session, Nebraska State Legislature, 1939,"; and likewise amend page 12, Section 13, line 9 of the original bill (page 9, Section 13, line 6 of the printed bill) and all other sections in the text or body of said bill wherever Section 20-1601, **supra**, is mentioned or referred to.

V. Amend the printed bill, page 4, Section 6, line 3 by striking therefrom the word "court" therein and by inserting in lieu thereof the word "county".

VI. Amend the original bill, page 7, Section 7, line 8 (the printed bill, page 5, Section 7, line 5) by inserting immediately preceding the word **"lists"** therein the word "jury".

VII. Amend the original bill, page 9, Section 10, line 28 by striking the word **"Statutues"** and by inserting in lieu thereof the word **"Statutes"**.

VIII. Amend the original bill, page 10, Section 10, line 58 (the printed bill, page 7, Section 10, line 44) by striking therefrom words and punctuation **"provided,** also" and by inserting in lieu thereof the following:

"and provided further".

IX. Amend the original bill, page 10, Section 11, line 10 (the printed bill, page 7, Section 11, line 7) by striking therefrom the word "therein" and by inserting in lieu thereof the words "there in".

X. Amend the original bill, page 12, Section 13, line 7, (the printed bill, page 9, Section 13, line 5) by inserting after the figures and punctuation **"1929,"** the following:

"as amended by Section 6, Legislative Bill No. 372, Fifty-third Session, Nebraska State Legislature, 1939,".

XI. Amend the original bill, page 12, Section 13, line 9 (the printed bill, page 9, Section 13, line 6) by striking therefrom the following:

"of this code,".

XII. Amend the original bill, page 13, Section 13, line 21 (the printed bill, page 9, Section 13, line 15) by striking therefrom the word **"provided,"** and by inserting in lieu thereof the words **"and provided".**

XIII. Amend the original bill, page 13, Section 13, line 27 (the printed bill, page 9, Section 13, lines 19 and 20) by striking therefrom the words and punctuation "and, **provided,"** therein and by inserting in lieu thereof the words **"and provided".**

XIV. Amend the original bill, page 15, Section 15, line 16 (the printed bill, page 10, Section 15, line 12) by striking the word "act" therein and by inserting in lieu thereof the word **"Act"**; and on page 16, Section 16, line 40 of the original bill (page 11, Section 16, line 30 of the printed bill) strike the word "act" therein and insert in lieu thereof the word **"Act".**

XV. Amend the original bill, page 15, Section 15, line 19 (the printed bill, page 10, Section 15, line 14) by striking therefrom **"($100.00)"**; and likewise in lines 19, 21 and 22 of the original bill (14 and 16 of the printed bill) strike all figures and dollar signs, together with the parentheses enclosing the same wherever they appear.

XVI. Amend the original bill, page 15, Section 16, line 4 (the printed bill, page 11, Section 16, line 3) by striking therefrom "(5)"; and likewise throughout said Section 16 strike all figures in parentheses and the parentheses surrounding them.

XVII. Amend the original bill, page 15, Section 16, line 6 (the printed bill, page 11, Section 16, line 4) by inserting after the word "three" and before the word "judges" the words "of the".

XVIII. Amend the original bill, page 16, Section 16, line 23 (the printed bill, page 11, Section 16, line 17) by striking the word "Court" and by inserting in lieu thereof the word **"court"**.

XIX. Amend the original bill, page 16, Section 16, line 47 (the printed bill, page 11, Section 16, line 35) by inserting after the conjunction "and" and before the verb "shall" therein the word "they".

XX. Amend the original bill, page 17, Section 17, line 8 (the printed bill, page 12, Section 17, line 6) by striking the word **"jurors"** therein and by inserting in lieu thereof the word **"jury"**.

XXI. Amend the original bill, page 20, Section 18, line 39 (the printed bill, page 14, Section 18, line 29) by striking therefrom the figures "25" therein and by inserting in lieu thereof the word **"twenty-five"**; and in line 39 of said Section 18 of the original bill (line 30 of said Section 18 of the printed bill) strike the figures "65" therein and insert in lieu thereof the word **"sixty-five"**.

XXII. Amend the original bill, page 21, Section 18, line 44 (the printed bill, page 14, Section 18, line 33) by striking the definite article "the" therein and by inserting in lieu thereof **"the"**.

XXIII. Amend the original bill, page 21, Section 18, lines 60 and 61 (the printed bill, page 15, Section 18, line 46) by striking therefrom the words and punctuation "and **provided,"** therein and by inserting in lieu thereof the words **"and provided"**.

XXIV. Strike standing committee amendment No. 25, for the reason that the same is in conflict with standing committee amendment second 13 later adopted.

XXV. Amend the printed bill only, page 16, Section 22, lines 7 and 8, by striking therefrom the word "before" and by inserting in lieu thereof the words "be for".

XXVI. Amend the original bill, page 24, Section 22, lines 19 and 20 (the printed bill, page 16, Section 22, lines 14 and 15) by striking therefrom the words **"in all respects"** therein.

XXVII. Amend the printed bill only, page 17, Section 23, line 10 by striking therefrom the word **"juprors"** therein and by inserting in lieu thereof the words **"jurors as provided"**.; and amend the original bill, page 24, Section 23, line 13, by inserting the words **"as provided"** after the word **"jurors"**.

XXVIII. Amend the original bill, page 24, Section 24, line 3 (the printed bill, page 17, Section 24, line 3) by striking the word "Clerk" therein and by inserting in lieu thereof the word **"clerk"**.

XXIX. Amend the original bill, page 25, Section 24, line 15 (the printed bill, page 17, Section 24, line 12) by inserting the definite article "the" after the word "be" and before the word "petit" therein.

XXX. Amend the original bill, page 25, Section 24, lines 9 and 22 (the printed bill, page 17, Section 24, lines 7 and 17) by striking therefrom the words "the next preceding Section" whether old or new matter, in each of said lines respectively and by inserting in lieu thereof the following:

"Section 20-1604, Compiled Statutes of Nebraska, 1929, as amended by Section 2, Legislative Bill No. 372, Fifty-third Session, Nebraska State Legislature, 1939".

LEGISLATIVE BILL NO. 282. Replaced on Select File with amendments.

E and R amendments to L. B. No. 282:

A. Strike all Enrollment and Review Amendment No. XXVII; and reengross title to said bill in accordance therewith.

B. Amend the engrossed bill, page 2, Section 1, lines 4 and 5, by striking therefrom the following: "not more than two from any one congressional district," and inserting in line 4, Section 1, engrossed bill (the printed bill, page 1, Section 1, line 3) following the word "members" and preceding the word "to", the following:

", not more than two from any one congressional district,".

C. Amend the engrossed bill, page 9, Section 23, line 4, General File amendments, May 18, 1939 (Gross), Amendment 2, Sec. 23, line 4, by inserting after the figure and punctuation "9," and before the word "Compiled", the following: "Chapter 54,".

Correctly Engrossed

L. B. No. 174
L. B. No. 76
L. B. No. 133
L. B. No. 173
L. B. No. 307
L. B. No. 408
L. B. No. 431
L. B. No. 520

Correctly Reengrossed

L. B. No. 179
L. B. No. 491

LEGISLATIVE BILL NO. 127. Correctly enrolled.

(Signed) Craven, Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the President signed

Legislative Bill No. 127.

MOTION—To Permit Introduction of Bill

Mr. President: I move that I be permitted to offer a bill by special order of the Legislature. (Signed) Westley.

Having failed to receive a two-thirds majority, the motion was lost with 20 ayes, 5 nays, 18 not voting.

MOTION—To Pass Over Third Reading File

Mr. President: I move that we pass over Third Reading File and take up work on General File. Mischke.

The motion was lost with 12 ayes, 13 nays, 18 not voting.

BILLS ON THIRD READING

By unanimous consent L. B. No. 447 was placed at the head of Third Reading File.

MOTION—To Recommit to Select File

Mr. President: I move to recommit L. B. No. 447 to Select File for the following Specific amendment:

Amend line 97, page 17, Section 5 of the bill, Final Form on Third Reading, by striking the word "half" after the word "one" at the beginning of line 97, and inserting in lieu thereof the word "fourth". (Signed) John Adams, Jr.

The motion prevailed.

Referred to Select File for Specific amendment.

LEGISLATIVE BILL NO. 471. MOTION—To recommit to Select File.

Mr. President: I move that L. B. No. 471 be recommitted to Select File for the following Specific amendments:

Printed bill, Page 1, Section 1, line 2, after the word "governor", insert the following:

"the chief of the Bureau of Motor Fuels, who shall serve as secretary of said commission".

Line 4, after the word "governor" insert the following:

"Said commission shall cease to exist after June 30, 1941".

Page 2, Sec. 2, line 3, after the word "only" strike the words "purpose of" and insert the following: "purposes of increasing motor traffic within the State and".

(Signed) Thomas.

The motion prevailed.

Referred to Select File for Specific amendment.

LEGISLATIVE BILL NO. 172. Mr. Lambert requested unanimous consent to refer to Select File for the following Specific amendment:

Sec. 6. This Act shall not prevent the practice before the Nebraska State Railway Commission of any person in his own behalf or in behalf of any class of persons similarly situated.

Sec. 7. If any section, sentence, clause or provision of this Act shall for any reason be held invalid or unconstitutional, the validity of the remaining parts hereof shall not be affected thereby.

Consent so granted.

Referred to Select File for Specific amendment.

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 44. (With emergency clause)

A bill for an Act relating to Unemployment Compensation Law; to credit funds granted and credited by the United States to the Nebraska Unemployment Compensation Fund, pursuant to Act of Congress, Chapter 755, 50 Stat. 754, approved August 24, 1937, to Employers Reserve Accounts within the Nebraska Unemployment Compensation Fund upon showing, provided for within sixty days from the effective date of this Act; to credit the balance of said granted funds to the Pooled Account of Nebraska Unemployment Compensation Fund; to repeal all acts in conflict therewith; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 37:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Howard
Johnson
Johnston
Klaver
Lambert
Miller
Mischke
Mueller
Neubauer
Peterson
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 6:

Carsten
Herrick
Mekota
Murphy
Norman
Reavis

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 518. (With emergency clause)

A bill for an Act to amend paragraph 1, Section 37, Chapter 193, Session Laws of Nebraska, 1937, relating to appropriations for the state government of the state of Nebraska for the biennium beginning July 1, 1937 and ending June 30, 1939; to limit appropriations for the uses and purposes of the Bureau of Food, Drugs and Oil in the Department of Agriculture and Inspection for said biennium to three hundred ten thousand dollars; to repeal the original paragraph of said section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 35:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Diers
Doyle
Dunn
Gantz
Howard
Johnson
Johnston
Klaver
Reed
Rossiter
Sorrell
Thomas

Brodecky
Callan
Carlson
Carsten
Craven
Garber
Gross
Gutoski
Hall
Herrick
Miller
Mischke
Murphy
Neubauer
Peterson
Thornton
Tvrdik
Van Diest
Von Seggern

Voting in the negative, 1: Lambert

Not voting, 7:

Hastings
Mekota
Mueller
Norman
Reavis
Schultz
Westley

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement for Journal

Mr. President: Had I been present, I would have voted aye on L. B. 44 and L. B. 518. (Signed) Norman.

LEGISLATIVE BILL NO. 515. (With emergency clause)

A bill for an Act relating to public property; to provide that the capitol custodian shall cause to be marked, tagged or stamped all property under his control, now owned or hereafter acquired by the state of Nebraska; to amend Sec. 72-707, Comp. St. Supp., 1937; to provide that the Department of Roads and Irrigation shall mark, letter or number or shall remark, reletter or renumber, as the case may be, all state-owned motor vehicles or units of road machinery now owned or hereafter acquired by the state of Nebraska except motor vehicles used or controlled by the state sheriff, by the Nebraska Safety Patrol or by the Game, Forestation and Parks Commission for state law enforcement purposes; to require all state expending agencies to deliver such state-owned motor vehicles to the nearest district maintenance shop of said department for marking or lettering, as the case may be; to provide that said state agencies shall reimburse out of their respective maintenance funds said department for the actual cost or expense of marking or lettering said motor vehicles; to provide that said department may design and issue to said state agencies distinctive license plates for attachment by said agencies upon all state-owned motor vehicles used or controlled by them; to provide for reporting the number, use, description and estimated value of such state-owned motor vehicles and units of road equipment to the department, to the governor and to the Legislature; to provide penalties for the violation thereof; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 40:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern

Voting in the negative, 0.

Not voting, 3:

Mekota
Reavis
Westley

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 495. (With emergency clause)

A bill for an Act relating to highways; specifically to reappropriate from unexpended balance arising out of the gasoline highway fund in the sum of two hundred thousand dollars, or so much thereof as may be necessary, for the purpose of constructing forthwith highways bisecting areas of the state of Nebraska having a lineal dimension of one hundred twenty-five miles or more, by the most feasible routes; to make said money reappropriated immediately available for the uses and purposes of this Act; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 25:

Adams, E. A.
Adams, J. Jr.
Ashmore
Carlson
Gantz
Gross
Hastings
Herrick
Klaver
Lambert
Miller
Mueller
Norman
Reed
Sorrell
Tvrdik

Carsten
Craven
Dunn
Howard
Johnston
Murphy
Neubauer
Van Diest
Von Seggern

Voting in the negative, 12:

Brady
Callan
Diers
Doyle
Gutoski
Hall
Johnson
Mischke
Peterson
Schultz
Thomas
Thornton

Not voting, 6:

Brodecky
Garber
Mekota
Reavis
Rossiter
Westley

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause.

Vote on L. B. No. 495 With Emergency Clause Stricken:

Voting in the affirmative, 24:

Adams, E. A.
Adams, J. Jr.
Ashmore
Carsten
Craven
Dunn
Gantz
Gross
Hastings
Herrick
Howard
Johnston
Klaver
Lambert
Miller
Murphy
Neubauer
Norman
Reed
Rossiter
Sorrell
Tvrdik
Van Diest
Von Seggern

Voting in the negative, 12:

Brady
Brodecky
Diers
Doyle
Gutoski
Hall
Johnson
Mischke
Peterson
Schultz
Thomas
Thornton

Not voting, 7:

Callan
Carlson
Garber
Mekota
Mueller
Reavis
Westley

A constitutional majority having voted in the affirmative, the bill was declared passed with the emergency clause stricken.

Explanation of Vote

Mr. President: I vote "no" on L. B. 495 because if this sort of legislation is encouraged, the western part of the state will never get any more roads. They just don't have the votes. (Signed) Peterson.

LEGISLATIVE BILL NO. 465. (With emergency clause)

A bill for an Act to amend Section 79-2102, Compiled Statutes of Nebraska, 1939, relating to schools; to provide for the transportation of pupils to public schools; to authorize school boards to contract with other districts to furnish transportation; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 33:

Adams, J. Jr.
Ashmore
Brady
Brodecky
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Mischke
Murphy
Neubauer
Norman
Peterson
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik

Voting in the negative, 0.

Not voting, 10:

Adams, E. A.
Callan
Garber
Gross
Miller
Mueller
Reavis
Van Diest
Von Seggern
Westley

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 410. (With emergency clause)

A bill for an Act relating to counties; to authorize and empower any county in the state of Nebraska to borrow money with which to pay judgments against the county and accrued interest thereon and to redeem outstanding warrants of the county; to issue the county's promissory note or notes therefor; to provide for the repayment of money so borrowed; and to prescribe terms, provisions, conditions and limitations upon the exercise of the power to so borrow; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern

Voting in the negative, 0:

Not voting, 2:

Reavis
Westley

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 400. (With emergency clause)

A bill for an Act relating to revenue; to provide for the auditing of claims and contracting of indebtedness by counties, under the County Budget Act, 1937, as amended; to provide for emergencies; to authorize county boards to levy during the year 1939 a tax of not to exceed two mills for the county general fund upon the actual valuation of property within said counties, in which there is a deficiency in the county general fund, upon condition that the total tax levy in any such county for all county purposes shall not exceed fifty cents per one hundred dollars of actual valuation as determined by the assessment rolls; to authorize the county boards of such counties to anticipate the collection of revenue under said levy by contracting indebtedness, auditing claims and issuing anticipatory warrants against same; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Adams, E. A.
Adams, J. Jr.
Dunn
Gantz
Johnston
Klaver
Peterson
Reed

Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern

Voting in the negative, 0:

Not voting, 2:

Reavis
Westley

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Speaker Diers presiding.

LEGISLATIVE BILL NO. 327. (With emergency clause)

A bill for an Act to amend Section 84-502, Compiled Statutes of Nebraska, 1929, relating to state officers; to prescribe the duties of the secretary of state with respect to the Legislature; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 37:

Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Von Seggern

Voting in the negative, 0:

Not voting, 6:

Adams, E. A.
Gross
Lambert
Reavis
Van Diest
Westley

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 315. (With emergency clause)

A bill for an Act to amend Sec. 79-1003, Comp. St. Supp., 1937, relating to schools; to provide for annual levies in county high school districts; to provide that, in counties having three or more accredited high schools, other than the county high school, the board of regents may cause to be levied not to exceed an additional seven-tenths of one mill to be used for tuition purposes only and to pay the tuition of pupils living outside the eight mile limit and nearer to any other accredited high school, whether within the boundaries or outside the boundaries of said county; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 16:

Ashmore
Brady
Gross
Hall
Howard
Johnson
Lambert
Miller
Murphy
Norman
Peterson
Rossiter
Schultz
Thomas
Tvrdik
Von Seggern

Voting in the negative, 16:

Adams, J. Jr.
Callan
Carsten
Doyle
Dunn
Gantz
Garber
Gutoski
Hastings
Herrick
Klaver
Mischke
Neubauer
Reed
Sorrell
Van Diest

Not voting, 11:

Adams, E. A.
Brodecky
Carlson
Craven
Diers
Johnston
Mekota
Mueller
Reavis
Thornton
Westley

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause.

Vote on L. B. No. 315 with the Emergency Clause Stricken

Voting in the affirmative, 26:

Adams, E. A.
Ashmore
Brady
Brodecky
Craven
Dunn
Gross
Hastings
Howard
Johnson
Johnston
Lambert
Mekota
Miller
Murphy
Norman
Peterson
Reed
Rossiter
Schultz
Sorrell
Thomas
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 7:

Carsten
Diers
Doyle
Garber
Gutoski
Herrick
Mischke

Not voting, 10:

Adams, J. Jr.
Callan
Carlson
Gantz
Hall
Klaver
Mueller
Neubauer
Reavis
Thornton

A constitutional majority having voted in the affirmative, the bill was declared passed with the emergency clause stricken.

LEGISLATIVE BILL NO. 300. (With emergency clause)

A bill for an Act to amend Section 76-502, Compiled Statutes of Nebraska, 1929, relating to escheats; to provide that corporations incorporated under the laws of any other state of the United States of America and doing business in this state may acquire, own, hold, or operate leases for oil, gas, or other hydrocarbons for a period as long as ten years and as long thereafter as oil, gas, or other hydrocarbons shall or can be produced in commercial quantities; to provide that such corporations actually engaged in prospecting and drilling for, or producing, oil, gas, or other hydrocarbon substances in this state may acquire and own in fee, or lease for any period, such real estate as may be necessary for such activities, including camp sites, tank farms, pump stations and other structures incidental to the production, treating, storage, and disposal of said products; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.
Adams, J. Jr.
Brady
Brodecky
Callan
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gutoski
Hall
Hastings
Herrick
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Murphy
Neubauer
Norman
Peterson
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 6:

Ashmore
Carlson
Gross
Howard
Mueller
Reavis

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 299. (With emergency clause)

A bill for an Act relating to natural resources, authorizing the leasing for oil, gas and other hydrocarbons of the real property of the estates of decedents, minors and incompetent persons; to prescribe the conditions upon which such leases may be made and the procedure to be followed; to validate all such leases heretofore made unless suit to cancel is brought within six months; to repeal all laws, or parts of laws, in conflict therewith; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Adams, E. A.
Adams, J. Jr.
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gutoski
Hall
Herrick
Johnson
Johnston
Klaver
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Westley

Voting in the negative, 0.

Not voting, 7:

Ashmore
Gross
Hastings
Howard
Lambert
Reavis
Von Seggern

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 272. (With emergency clause)

A bill for an Act relating to live stock; to provide for slaughter of cattle infected with Bang's disease with official reimbursement to owner by state of Nebraska; specifically to appropriate the sum of thirty-five thousand dollars for the purpose of administering the provisions of this Act from its effective date until June 30, 1941; to establish rules and regulations as to the testing for Bang's disease of all cattle entering the state of Nebraska; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 39:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gutoski
Hall
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 4:

Carlson
Gross
Hastings
Reavis

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 124. (With emergency clause)

A bill for an Act to amend Secs. 77-1451 and 77-1458, Comp. St. Supp., 1937, relating to revenue; to define itinerant merchants and the business conducted by them; to prescribe the amount of occupation tax per vehicle used by itinerant merchants in their said business; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 30:

Adams, E. A.
Adams, J. Jr.
Brady
Brodecky
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gross
Gutoski
Hall
Howard
Klaver
Lambert
Mekota
Miller
Mischke
Murphy
Norman
Peterson
Reed
Rossiter
Sorrell
Thomas
Thornton
Tvrdik
Von Seggern
Westley

Voting in the negative, 6:

Callan
Gantz
Johnson
Neubauer
Schultz
Van Diest

Not voting, 7:

Ashmore
Garber
Hastings
Herrick
Johnston
Mueller
Reavis

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 106. (With emergency clause)

A bill for an Act to amend Section 59-805, Compiled Statutes of Nebraska, 1929; to repeal Section 59-804, Compiled Statutes of Nebraska. 1929, relating to annual statements and undertakings required of corporations and other voluntary associations in connection with laws pertaining to unlawful restraint of trade; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Carlson
Craven
Diers
Doyle
Dunn
Garber
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Norman
Peterson
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 7:

Callan
Carsten
Gantz
Gross
Klaver
Neubauer
Reavis

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

President Johnson presiding.

LEGISLATIVE BILL NO. 326. MOTION—To Refer to Select File.

Mr. President: I move to refer L. B. No. 326 to Select File for the following Specific amendments:

"Strike Sec. 1, 2, 3 and Section 5 and amend the title accordingly to conform with this amendment." (Signed) John Adams, Jr.

Record vote was requested.

Voting in the affirmative, 7:

Adams, J. Jr.
Carlson
Craven
Doyle
Hastings
Herrick
Howard

Voting in the negative, 29:

Adams, E. A.
Ashmore
Brady
Brodecky
Callan
Carsten
Diers
Dunn
Gantz
Garber
Gross
Hall
Johnson
Lambert
Miller
Mischke
Murphy
Neubauer
Norman
Peterson
Reed
Rossiter
Thomas
Schultz
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Not voting, 7:

Gutoski	Klaver	Mueller	Sorrell
Johnston	Mekota	Reavis	

The motion was lost.

Recess

At 12:06 p. m. on motion by Mr. Diers the Legislature recessed until 2:00 p. m.

After Recess

The Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present except Messrs. Klaver, Reavis and Thomas who were excused.

BILLS ON THIRD READING

LEGISLATIVE BILL NO. 326. The following motion, placed on the Clerk's desk before recess, was read:

Mr. President: I move that L. B. 326 be recommitted to Select File for the following Specific amendment:

Printed bill, page 3, Sec. 5, line 2, after the word "are" insert the following: "as of June 30, 1939,"

Page 1, title, line 11 after the word "Bureau" insert the following: "as of June 30, 1939;". (Signed) Thomas.

No action taken: Laid over.

LEGISLATIVE BILL NO. 104.

A bill for an Act to amend Sections 71-1804, 71-1806, 71-307 and 71-407, Compiled Statutes of Nebraska, 1929; to amend Sec. 71-501, Comp. St. Supp., 1937, relating to the practice of pharmacy; to prescribe rules and regulations pertaining to qualifications of applicants for license and registration to practice pharmacy; to provide qualifications for members of the Board of Examiners in Pharmacy; to repeal said original sections; to repeal Sections 71-1805 and 71-1807, Compiled Statutes of Nebraska, 1929; and to provide a saving clause.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 33:

Adams, E. A.
Adams, J. Jr
Ashmore
Brodecky
Callan
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Gross
Gutoski
Hall
Howard
Johnson
Johnston
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reed
Rossiter
Sorrell
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 3:

Garber
Hastings
Herrick

Not voting, 7:

Brady
Carlson
Klaver
Reavis
Schultz
Thomas
Thornton

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Explanation of Vote

Mr. President: It seems hardly necessary to have a four year college training and hospital course, plus an examination to sell kodaks, magazines, razor blades, chewing gum and finger nail red. It might help in building a monopoly. (Signed) Herrick.

Statement for Journal

Mr. President: Had I been present, I would have voted aye on L. B. No. 104. (Signed) Schultz.

SELECT FILE

LEGISLATIVE BILL NO. 447. The Specific amendments offered by John Adams, Jr. and found in this day's Legislative Journal were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 471. Passed over.

LEGISLATIVE BILL NO. 172. The Specific amendment offered by Mr. Lambert and found in this day's Legislative Journal was adopted.

Laid over.

Mr. Lambert presiding.

LEGISLATIVE BILL NO. 372. E and R amendments as found in this day's Legislative Journal were adopted.

Laid over.

LEGISLATIVE BILL NO. 282. E and R amendments as found in this day's Legislative Journal were adopted.

Mr. Craven moved to refer to E and R for engrossment.

The motion prevailed with 19 ayes, 8 nays, 16 not voting.

MOTION—To Revert to Resolutions

Mr. President: I move we revert to Resolutions. Brady.

The motion prevailed.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 37. Introduced by Brady of Holt.

Authorizing the general counsel of the Nebraska Legislative Reference Bureau to continue the performance of extraordinary legislative services beyond May 26, 1939, until June 3, 1939, the proposed date of adjournment, sine die.

PREAMBLE

WHEREAS, by Legislative Resolution No. 32, the Nebraska Legislative Reference Bureau was authorized to carry on its work until May 26, 1939, and an appropriation in the sum of $537.75 was made for that purpose, and

WHEREAS, it now appears that the Fifty-third Session, Nebraska State Legislature, cannot possibly adjourn prior to June 3, 1939 at 12:00 o'clock midnight, and

WHEREAS, said Legislature needs and requires the services of the general counsel of said Bureau and his special legislative service staff, consisting of four stenographers, proof readers and copy holders, until June 3, 1939 at 12:00 o'clock midnight, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That George R. Mann, General Counsel, Nebraska Legislative Reference Bureau, abolished by virtue of Legislative Bill No. 326, Nebraska State Legislature, Fifty-third Session, 1939, be hereby directed and authorized to continue to furnish this Legislature with the usual services contemplated in connection with the requests made by said Legislature and its standing committees, particularly the Committee on Enrollment and Review, until 12:00 o'clock midnight June 3, 1939.

2. That, upon the filing of proper vouchers, approved by the said George R. Mann, that the Clerk of the Legislature be hereby authorized and directed to approve claims filed for said extraordinary services, in the sum not exceeding $315.00 for said services to be rendered up to and including June 3, 1939, the same to be paid out of the contingent fund of this Legislature, as provided by Section 1, Legislative Bill No. 8 as amended by Section 1, Legislative Bill No. 516, Fifty-third Session, Nebraska State Legislature, 1939, as now existing or as hereafter amended.

MOTION—To Suspend the Rules and Adopt

Mr. President: I move that the rules be suspended and that Legislative Resolution No. 37 be adopted. Brady.

The motion prevailed with 32 ayes, no nays, 11 not voting.

The resolution was adopted.

GENERAL FILE

LEGISLATIVE BILL NO. 1. Read and considered.

Mr. Sorrell offered the following amendments:

1. Strike all amendments both to original and printed bill heretofore adopted.

2. Amend the original bill, page 1 (the mimeographed committee substitute, pages 1 and 2) by striking all of the body of said bill after the enacting clause and by inserting in lieu thereof the following:

"Section 1. That Sec. 66-306, Comp. St. Supp., 1937, be amended to read as follows:

66-306. (a) No person, firm or corporation shall manufacture, have in possession with intent to sell, offer and expose for sale, sell or deliver any motor vehicle fuels which do not conform to the following requirements: It shall be free from water and impurities. One hundred cubic centimeters of a sample shall be distilled in the manner recommended by the American Society of Testing Materials, (A. S. T. M.), and must conform to the following Nebraska Specifications for Motor Vehicle Fuels as follows: 1. Ten per cent of the sample must be distilled and recovered at a temperature below 167 degrees Fahrenheit; 2. Fifty per cent must be distilled and recovered below 284 degrees Fahrenheit; 3. Ninety per cent must be distilled and recovered below 392 degrees Fahrenheit; 4 The end or dry point of distillation must not be higher than 437 degrees Fahrenheit. **(b) All motor vehicle fuel, except for use in aircraft sold in the state of Nebraska after January 1, 1940 shall contain a blend of not less than ten per cent, by volume thereof of Ethyl alcohol manufactured from agricultural products produced wholly within the United States: Provided, that, until the supply of Ethyl alcohol is sufficient to provide the required minimum blend of ten per cent, the Department of Agriculture and Inspection is hereby ordered to require a blend containing five per cent of such alcohol, but if there should not be available a sufficient quantity of Ethyl alcohol for a blend containing five per cent of such alcohol, then the administration of subsection (b) of this section shall be held in abeyance until such Ethyl alcohol is available as found by the Director of the Department of Agriculture and Inspection; and provided further, if and when the price of Ethyl alcohol used and employed in such blend shall exceed twenty-five cents per gallon, exclusive of taxes the Director of the Department of Agriculture and Inspection shall hold in abeyance the administration and enforcement of subsection (b) of this section until such time as the price of said Ethyl alcohol shall reach the level of twenty-five cents or less per gallon; and provided further, the administration of the provisions of subsection (b) of this section shall be held in abeyance until such time as the Director of the Department of Agriculture and Inspection shall find that there is a sufficient quantity of Ethyl alcohol which is available for the blend containing at least five per cent of said alcohol, as aforesaid, which is manufactured in plants located within the state of Nebraska.**

Sec. 2. If any clause, sentence, paragraph or part of this Act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof, directly involved in the controversy in which such judgment shall have been rendered.

Sec. 3. That said original Sec. 66-306, Comp. St. Supp., 1937, is hereby repealed."

3. Amend the bill (cited above in Amendment 2) page 1, title, line 2 by striking all of said title after the word "ACT" and by inserting in lieu thereof the following:

"to amend Sec. 66-306, Comp. St. Supp., 1937, relating to motor vehicle fuels and specifications thereof; to require that all motor vehicle fuels sold in the state of Nebraska after January 1, 1940 shall contain an alcohol blend of not less than ten per cent of Ethyl alcohol manufactured from agricultural products produced wholly in the United States; to provide that until the supply of Ethyl alcohol is available to provide said ten per cent alcohol blend, the Department of Agriculture and Inspection shall require a five per cent blend; to provide that the administration of the provisions of this Act shall be held in abeyance until the Director of the Department of Agriculture and Inspection shall find that there is a sufficient quantity of Ethyl alcohol available for said five per cent alcohol blend manufactured in plants located within the state of Nebraska; to provide that, if and when the price of Ethyl alcohol used or employed in such blend shall exceed twenty-five cents per gallon, the enforcement and administration of subsection (b) of Section 1 of this Act shall be held in abeyance until such time as the price of said Ethyl alcohol shall reach the level of twenty-five cents or less per gallon; to provide a validity clause; and to repeal said original section.".

Recess

At 4:12 p. m. on motion by Mr. Brady the Legislature recessed for fifteen minutes.

After Recess

The Legislature reconvened at 4:30 p. m. President Johnson presiding.

The roll was called and all members were present except Messrs. Klaver, Miller, Reavis and Thomas who were excused.

LEGISLATIVE BILL NO. 1. Sorrell amendment discussed.

Laid over.

Adjournment

At 5:35 p. m. Mr. Dunn moved that the rules be suspended and the Legislature adjourn until 8:30 a. m. Saturday.

The motion prevailed with 33 ayes, no nays, 10 not voting.

Hugo F. Srb,
Clerk of the Legislature

ONE-HUNDRED THIRD DAY

Legislative Chamber,
Lincoln, Nebraska, May 27, 1939.

The Legislature met at 8:30 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Klaver.

The Journal for the One-hundred Second Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Brodecky, one, favoring L. B. No. 212; Mr. Carsten, one, favoring L. B. No. 1; all members, one, opposing L. B. No. 12, one, opposing opening the State Fair on Sunday.

NOTICE—Library Material

Library material loaned from the Legislative Reference Bureau should be returned to Room 1106 in the Capitol. (Signed) Edna D. Bullock, Director.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for Approval

Friday, May 26, 1939 at 1:30 p. m.

Legislative Bill No. 127

Correctly Enrolled

L. B. No. 400
L. B. No. 495
L. B. No. 518
L. B. No. 515
L. B. No. 465
L. B. No. 327
L. B. No. 410
L. B. No. 106
L. B. No. 124
L. B. No. 299
L. B. No. 272

(Signed) Craven, Chairman

Signed by the President

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 400
L. B. No. 495
L. B. No. 518
L. B. No. 515
L. B. No. 465
L. B. No. 327
L. B. No. 410
L. B. No. 106
L. B. No. 124
L. B No. 299
L. B. No. 272

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 38. Respecting the Memory of A. Lincoln Sutton.

Introduced by Ernest A. Adams of Douglas.

"Rid of the world's injustice and his pain,
He rests at last beneath God's veil of blue.
Taken from life, when life and love were new, ***"

Preamble

A. Lincoln Sutton, Omaha, Nebraska, died May 26, 1939. He was thirty-one years of age at the time of his death and served Nebraska as a legislator during the last bicameral session in 1935. He attended the public schools of Omaha and the University of Omaha. He was the son of the late District Judge Abraham Lincoln Sutton, long a prominent figure in Omaha politics and at one time the candidate for governor of Nebraska. The deceased did not follow politically in the footsteps of his distinguished father but affiliated with the Democrat party.

Though young in years, A. Lincoln Sutton made his mark as a legislator. He was highly regarded by his legislative associates. His quiet and unassuming mien, his patient and sympathetic nature compelled all who were fortunate enough to be his associates to hold him in high esteem. As a legislator he took a deep interest in the welfare of the Omaha schools. His outstanding contribution as a legislator in 1935 was when he championed and fought doggedly until a section was inserted in the horse racing bill that made it unlawful to drug race horses on any race track in Nebraska. While others concerned themselves with horse racing as a sport, Sutton was thinking of the horse.

WHEREAS, the sudden death of A. Lincoln Sutton has brought to his many friends in Nebraska, and particularly his former associates in the Legislature, a feeling of regret and sadness, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That this Legislature pause for a moment in its deliberations to do reverence and to pay tribute to the memory of A. Lincoln Sutton, a distinguished and useful public servant, high type citizen and sympathetic man, whom we remember as a capable legislator, endowed with more than ordinary intellectual attainments, keen foresight, rare judgment on public issues and questions and the heart of a real man.

2. That the deepest sympathy is hereby tendered to the bereaved family of the deceased; that a copy of this resolution be spread at large upon the Journal of this Legislature; that the Clerk of this Legislature be instructed to send a copy of this resolution, properly authenticated and suitably engrossed, to the family of A. Lincoln Sutton, as a lasting testimonial of the appreciation of this state for his service in the Legislature and as a mark of the love and esteem which he held in the hearts of his associates.

Ernest A. Adams moved that the rules be suspended and the resolution adopted.

The motion prevailed with 39 ayes, no nays, 4 not voting.

MOTION—To Suspend Rules and Introduce Bills

Mr. President: I move that the rules be suspended to permit the introduction of Legislative Bill No. 522 and Legislative Bill No. 523, both regarding appropriations. (Signed) Brady.

The motion prevailed with 36 ayes, no nays, 7 not voting.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL NO. 522. By Committee on Appropriations.

A bill for an Act to amend Section 1, Legislative Bill No. 8, Fifty-third Session, Nebraska State Legislature, 1939, as amended by Section 1, Legislative Bill No. 516, Fifty-third Session, Nebraska State Legislature, 1939, relating to the payment of compensation of officers and employees of the Legislature, traveling expenses of members, the payments to be made for supplies and other incidental expenses incurred during the Fifty-third Session, Nebraska State Legislature, during the biennium ending June 30, 1939, and for ad interim activities of said Legislature during the biennium ending June 30, 1941; to appropriate the sum of $63,022.89 therefor; to repeal said original section, as amended; and to declare an emergency.

LEGISLATIVE BILL NO. 523. By Committee on Appropriations.

A bill for an Act to appropriate ten per cent of all fees remitted into the state treasury by the state board of examiners in medicine, osteopathy, chiropractic, dentistry, optometry, pharmacy, embalming (including fees received from applicant or practicing funeral directors and undertakers as well as embalmers), chiropody and veterinary medicine, the state board of cosmetologist examiners, the state board of barber examiners, the athletic division under the governor, the bureau of education and registration for nurses, the state real estate commission, state brand fund of the secretary of state, the state board of professional engineering and architectural examiners and by any other state board, bureau, division, fund or commission, not mentioned above, now existing or hereafter created, if and when specifically appropriated or reappropriated by the Legislature during any biennium; to direct the method of handling fees remitted into the state treasury by each of said boards, bureaus, divisions and commissions, as provided by law; specifically to appropriate ten per cent of all said fees remitted into the state treasury during the biennium ending June 30, 1939, for the uses and purposes of the general fund of the state; to repeal Secs. 33-155, 33-156 and 33-157, Comp. St. Supp., 1937, as of June 30, 1939; and to declare an emergency.

MOTION—To Suspend Rules and Read Bills Second Time

Mr. President: I move that the rules be suspended and that L. B. No. 522 and L. B. No. 523 be read the second time now. (Signed) Brady.

The motion prevailed with 31 ayes, no nays, 14 not voting.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

LEGISLATIVE BILL NO. 522. Referred to Committee on Appropriations.

LEGISLATIVE BILL NO. 523. Referred to Committee on Appropriations.

MOTION—To Suspend Rules and Refer to General File

Mr. President: I move that the rules be suspended and that L. B. No. 522 and L. B. No. 523 be placed at the head of General File. (Signed) Brady.

The motion prevailed with 31 ayes, no nays, 12 not voting.

BILLS ON THIRD READING

LEGISLATIVE BILL NO. 326. Mr. Thomas renewed his motion of the previous day to refer to Select File for Specific amendments.

The motion prevailed.

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 331. (With emergency clause)

A bill for an Act relating to motor fuels; to create a Division of Motor Fuels in the Department of Agriculture and Inspection; to designate the head of such division as Chief of the Bureau of Motor Fuels; to prescribe the duties of said division; to prescribe that said division shall be maintained by such appropriations as the Legislature shall from time to time provide; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Ashmore
Brady
Brodecky
Callan
Carsten
Diers
Doyle
Dunn
Gantz
Garber
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Lambert
Mekota
Miller
Mischke
Murphy
Neubauer
Norman
Peterson
Reavis
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0:

Not voting, 8:

Adams, E. A.
Adams, J. Jr.
Carlson
Craven
Gross
Klaver
Mueller
Reed

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

GENERAL FILE

LEGISLATIVE BILL NO. 1. Mr. Sorrell moved the adoption of his amendments found in the Legislative Journal for the One-hundred Second Day.

The motion prevailed with 29 ayes, no nays, 14 not voting.

Unanimous consent was granted to add the following names as cointroducers.

E. M. Von Seggern
E. M. Neubauer
Fred L. Carsten
Jay Hastings
Alva M. Johnston
M. E. Westley
John F. Doyle
Swan Carlson
Charles R. Herrick
John Adams, Jr.
Emil E. Brodecky
Fred A. Mueller

Mr. Sorrell moved to refer to E and R for review.

Mr. Lambert moved to indefinitely postpone.

After discussion, Mr. Mueller moved the previous question.

The motion was lost with 10 ayes, 16 nays, 17 not voting.

After further discussion, vote was taken on the Lambert motion to indefinitely postpone.

Record vote was requested.

Voting in the affirmative, 10:

Dunn
Gutoski
Lambert
Mischke
Murphy
Peterson
Reavis
Schultz
Thomas
Tvrdik

Voting in the negative, 19:

Adams, J. Jr.
Brodecky
Callan
Gantz
Garber
Gross
Howard
Johnson
Johnston
Neubauer
Reed
Sorrell

Carsten
Doyle
Hastings
Herrick
Mekota
Mueller
Von Seggern

Not voting, 14:

Adams, E. A.
Ashmore
Brady
Carlson
Craven
Diers
Hall
Klaver
Miller
Norman
Rossiter
Thornton
Van Diest
Westley

The motion to indefinitely postpone was lost.

Record vote was requested on Mr. Sorrell's motion.

Voting in the affirmative, 23:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brodecky
Callan
Carlson
Carsten
Doyle
Gantz
Gross
Hastings
Herrick
Howard
Johnson
Johnston
Mekota
Miller
Mischke
Mueller
Neubauer
Reed
Sorrell
Von Seggern

Voting in the negative, 9:

Dunn
Gutoski
Lambert
Murphy
Peterson
Reavis
Schultz
Thomas
Tvrdik

Not voting, 11:

Brady
Craven
Diers
Garber
Hall
Klaver
Norman
Rossiter
Thornton
Van Diest
Westley

Advanced to E and R for review.

SELECT FILE

LEGISLATIVE BILL NO. 471. Mr. Thomas moved the adoption of his amendments found in the Legislative Journal for the One-hundred Second Day.

The motion prevailed.

Mr. Thomas moved to refer to E and R for engrossment.

Mr. Mekota moved to indefinitely postpone.

The motion was lost with 15 ayes, 21 nays, 7 not voting.

Mr. Garber moved to lay the bill on the table.

The motion was lost with 15 ayes, 22 nays, 6 not voting.

Mr. Thomas renewed his motion to refer to E and R for engrossment.

The Chair declared the motion lost.

Mr. Thomas appealed from the decision of the Chair.

The question to sustain the Chair was lost with 14 ayes, 21 nays, 8 not voting.

The motion to refer was renewed and prevailed with 22 ayes, 13 nays, 8 not voting.

LEGISLATIVE BILL NO. 172. Mr. Craven moved to refer to E and R for engrossment.

John Adams, Jr. moved to indefinitely postpone.

The motion was lost with 10 ayes, 22 nays, 11 not voting.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 326. Mr. Thomas' Specific amendment as found in the Legislative Journal for the One-hundred Second Day was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 372. Laid over.

MOTION—Attorney General's Opinion

Mr. President: I move that L. B. No. 1 as now amended be submitted to the Attorney General for legal opinion. (Signed) Gantz.

The motion prevailed.

MOTION—To Recess

At 11:30 a. m. Mr. Dunn moved to recess until 2:00 p. m.

As a substitute motion Mr. Murphy moved to recess until 11:45 a. m.

The substitute motion prevailed.

After Recess

The Legislature reconvened at 11:45 a. m. President Johnson presiding.

The roll was called and all members were present except Mr. Klaver.

Approved by the Governor

May 26th, 1939.

To the Members of the Legislature:
Gentlemen:

I have been directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bill:

L. B. No. 127

Respectfully submitted,
(Signed) Otho K. De Vilbiss,
Secretary to the Governor.

STANDING COMMITTEE REPORT

Enrollment and Review

Correctly Enrolled

L. B. No. 300 L. B. No. 315 L. B. No. 44 L. B. No. 104

(Signed) Craven, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 300 L. B. No. 315 L. B. No. 44 L. B. No. 104

MOTION—To Recall and Place on Select File

Mr. President: I move that L. B. No. 390 be recalled from the Committee on Enrollment and Review and placed on Select File for the following Specific amendment:

1. Amend the Standing Committee amendments, Amendment 1, adopted May 4, 1939, lines 9 and 10 (printed final form on third reading, page 1, Section 1, lines 6 and 7) by striking therefrom the following: "two per cent of said State Assistance Fund" , and inserting the following:

"three per cent of said State Assistance Fund, **one-third of which shall be available to assist needy counties for expenses of county administration as hereinafter provided in this section,"**

2. Amend the Standing Committee Amendments, above, amendment 1, page 2, line 35 (printed final form on third reading, page 2, Section 1, line 32) by inserting after the word "fund" and before the word "may" the following:

"together with the portion of said three per cent fund provided in subsection 1 hereof"

(Signed) Ashmore

The motion prevailed unanimously.

SELECT FILE

LEGISLATIVE BILL NO. 390. The Specific amendment offered by Mr. Ashmore, above set out, was adopted unanimously.

Referred to E and R for engrossment.

Recess

At 12:05 p. m. on motion by Mr. Neubauer the Legislature recessed until 2:00 p. m.

After Recess

The Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present except Messrs. John Adams, Jr. and Klaver, and except Mr. Brady who was excused.

MOTION—To Suspend Rules and Introduce Bill

Mr. President: I move that the rules be suspended and permission granted to introduce a bill regarding claims of district judges. (Signed) Dunn, Gantz, Reavis.

A call of the House was ordered.

The call was raised.

Record vote was requested.

Voting in the affirmative, 21:

Brodecky
Callan
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Hall
Johnson
Murphy
Neubauer
Peterson
Reavis
Reed
Schultz
Thomas
Tvrdik
Van Diest

Voting in the negative, 9:

Carlson
Gutoski
Lambert
Miller
Mischke
Norman
Rossiter
Sorrell
Von Seggern

Not voting, 13:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Hastings
Herrick
Howard
Johnston
Klaver
Mekota
Mueller
Thornton
Westley

Having failed to receive the two-thirds majority, the motion was lost.

GENERAL FILE

LEGISLATIVE BILL NO. 273. Read and considered.

Mr. Van Diest moved to refer to E and R for review.

Mr. Johnson moved to indefinitely postpone.

After discussion Mr. Mischke moved the previous question.

The motion prevailed with 29 ayes, no nays, 14 not voting.

The motion to indefinitely postpone prevailed with 20 ayes, 13 nays, 10 not voting.

STANDING COMMITTEE REPORT

Enrollment and Review

Presented to Governor for Approval

Saturday, May 27, 1939 at 2:00 p. m.

L. B. No. 106
L. B. No. 124
L. B. No. 272
L. B. No. 410
L. B. No. 299
L. B. No. 327
L. B. No. 400
L. B. No. 518
L. B. No. 465
L. B. No. 495
L. B. No. 515

(Signed) Craven, Chairman

GENERAL FILE

LEGISLATIVE BILL NO. 12. Mr. Neubauer asked unanimous consent that the Standing Committee amendments be adopted and that the Legislature work from the mimeographed bill.

Mimeographed copy, unofficial, dated, May 8, 1939 was considered.

Mr. Mischke moved to strike the enacting clause.

Record vote was requested.

Voting in the affirmative, 9:

Brodecky
Dunn
Gutoski
Johnson
Mischke
Murphy
Peterson
Reed
Thomas

Voting in the negative, 19:

Adams, E. A.
Ashmore
Carlson
Carsten
Doyle
Gantz
Gross
Hastings
Herrick
Howard
Mekota
Miller
Mueller
Neubauer
Rossiter
Sorrell
Van Diest
Von Seggern
Westley

Not voting, 15:

Adams, J. Jr.
Brady
Callan
Craven
Diers
Garber
Hall
Johnston
Klaver
Lambert
Norman
Reavis
Schultz
Thornton
Tvrdik

The motion was lost.

Adjournment

At 4:55 p. m. on motion by Mr. Dunn the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature.

ONE-HUNDRED FOURTH DAY

Legislative Chamber,
Lincoln, Nebraska, May 29, 1939.

The Legislature met at 9:05 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Craven who was excused and Mr. Norman who was excused until 10:30 a. m.

The Journal for the One-hundred Third Day was approved as corrected.

PETITIONS AND MEMORIALS

A telegram was read favoring L. B. No. 256.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly Engrossed

L. B. No. 55
L. B. No. 235
L. B. No. 282
L. B. No. 447
L. B. No. 301

(Signed) Klaver, Vice Chairman

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 174.

A bill for an Act relating to municipal corporations; granting power and authority to cities of the first class to define, regulate, suppress and prevent nuisances; and to declare what shall constitute a nuisance.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?'"

Voting in the affirmative, 37:

Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Peterson
Reavis
Reed
Rossiter
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 6.

Adams, E. A.
Craven
Garber
Johnston
Norman
Schultz

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 76. (With emergency clause)

A bill for an Act relating to public works; to provide that the state of Nebraska and the governmental subdivisions thereof in awarding contracts for public works shall require contractors to certify that they are maintaining fair labor standards; to require fair labor standards in the performance of contracts for public works; to provide that contracts containing provisions concerning rates of pay, hours of work and conditions of employment, shall be excepted from the provisions of this Act; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 33:

Adams, J. Jr.
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Miller
Murphy
Neubauer
Peterson
Reavis
Reed
Rossiter
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 5:

Ashmore
Brady
Garber
Mekota
Mischke

Not voting, 5:

Adams, E. A.
Craven
Mueller
Norman
Schultz

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 133.

A bill for an Act to amend Secs. 66-601, 66-602 and 66-309, Comp. St. Supp., 1937, relating to motor vehicle fuels; to provide specifications with respect to signs and placards indicating the sale price of said fuels; and to repeal said original sections.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?'"

Voting in the affirmative, 30:

Adams, J. Jr.
Ashmore
Brodecky
Callan
Carsten
Doyle
Dunn
Gantz
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Miller
Mueller
Murphy
Neubauer
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Westley

Voting in the negative, 9:

Brady
Diers
Garber
Gross
Gutoski
Mekota
Mischke
Peterson
Von Seggern

Not voting, 4:

Adams, E. A.
Carlson
Craven
Norman

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 173. (With emergency clause)

A bill for an Act for the relief of Joe Murray to appropriate the sum of two hundred fifty dollars therefor out of the general fund; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Miller
Mischke
Mueller
Murphy
Neubauer
Reavis
Reed
Rossiter
Schultz
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 2:

Peterson
Sorrell

Not voting, 4:

Adams, E. A.
Craven
Mekota
Norman

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 307. (With emergency clause)

A bill for an Act relating to state administrative departments; to merge and consolidate, from and after the effective date of this Act, the functions, powers and duties of the Bureau of Securities of the Department of Insurance with the Department of Banking; to provide that the Department of Banking hereafter shall administer and enforce the provisions of the Blue Sky Law; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 39:

Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Peterson
Reavis
Reed
Rossiter
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 1:

Schultz

Not voting, 3:

Adams, E. A.
Craven
Norman

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 408. Laid over.

LEGISLATIVE BILL NO. 431. Laid over.

LEGISLATIVE BILL NO. 520. Laid over.

LEGISLATIVE BILL NO. 179.

A bill for an Act to amend Sec. 1, Article VII, and Article XVII, Constitution of the State of Nebraska, 1875, and the several amendments thereto, including the amendments proposed by the Constitutional

Convention of 1919-1920, and adopted at a special election held on the 21st day of September, 1920, relating to education; to provide that the Superintendent of Public Instruction shall, from and after the first Thursday after the first Tuesday in January, 1941, be a member of the board of commissioners, commonly known as Board of Educational Lands and Funds; and to provide for the effective date thereof.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF NEBRASKA:

Section 1. That Sec. 1, Article VII, Constitution of the state of Nebraska, 1875, and the several amendments thereto, including the amendments proposed by the Constitutional Convention of 1919-1920, and adopted at the special election held on the 21st day of September, 1920, be amended to read as follows:

"Sec. 1. The Governor, Secretary of State, Treasurer, Attorney General, and Superintendent of Public Instruction shall, under the direction of the Legislature, constitute a board of commissioners, for the sale, leasing, and general management of all lands and funds set apart for education purposes, and for the investment of school funds, in such manner as may be prescribed by law."

Sec. 2. That an additional section be inserted in Article XVII, Constitution of Nebraska, to be known and numbered as follows:

"Sec. 11. This amendment (1940) shall be self-executing, and after it becomes effective, all statutes and laws and provisions of this Constitution referring to the present Board of Educational Lands and Funds shall mean and include, while in effect, said board of commissioners, the Board of Educational Lands and Funds, as constituted hereby; and this amendment shall be in full force and take effect on the first Thursday after the first Tuesday in January, 1941."

Sec. 3. That at the general election in November, 1940, there shall be submitted to the electors of the state of Nebraska for approval or rejection upon a ballot separate from that upon which the names of candidates appear, the following amendment to the Constitution which is hereby proposed by the Legislature; and the amendment aforesaid shall be published once each week for four weeks in at least one legal newspaper in each county where a legal newspaper is published immediately preceding said election. Said ballot for the submission of said proposed amendment shall be in the following form:

PROPOSED CONSTITUTIONAL AMENDMENT

"FOR an amendment to the Constitution of the state of Nebraska amending Section 1, Article VII, and Article XVII, and providing that the Superintendent of Public Instruction shall, from the first Thursday after the first Tuesday in January, 1941, be a member of the board of commissioners, commonly known as the Board of Educational Lands and Funds and providing that said amendment shall be effective on the first Thursday after the first Tuesday in January, 1941," and

"AGAINST an amendment to the Constitution of the state of Nebraska amending Section 1, Article VII, and Article XVII, and providing that the Superintendent of Public Instruction shall, from the first Thursday after the first Tuesday in January, 1941, be a member of the board of commissioners, commonly known as the Board of Educational Lands and Funds and providing that said amendment shall be effective on the first Thursday after the first Tuesday in January, 1941."

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 35:

Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carsten
Diers
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Peterson
Reed
Rossiter
Schultz
Thomas
Thornton
Tvrdik
Von Seggern
Westley

Voting in the negative, 3:

Adams, E. A.
Doyle
Van Diest

Not voting, 5:

Carlson
Craven
Norman
Reavis
Sorrell

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 491. (With emergency clause)

A bill for an Act to amend Sec. 79-218, Comp. St. Supp., 1937, relating to schools; to authorize school boards in districts maintaining more than one school to close any school or schools within such district and to make provisions for education of children in another school of such district or in the school of another district subject to provisions of said section for closing the school in any district maintaining a single school; to provide for correspondence instruction for certain children; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Garber
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Peterson
Reavis
Reed
Rossiter
Schultz
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0:

Not voting, 4:

Craven
Gross
Norman
Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement for Journal

Mr. President: Had I been present I would have voted "aye" for L. B. 174, 76, 133, 173, 307, 520, 179 and 491. (Signed) Norman.

Request to Amend L. B. No. 521

Mr. President: I ask unanimous consent of the Legislature to empower the Enrollment and Review Committee to amend L. B. No. 521 Sec. 50, lines 16 to 22 inclusive, to correspond to amendment adopted on L. B. No. 390, raising per cent of administration for state assistance from two percent to three per cent. (Signed) Ashmore.

No objection raised. So ordered.

GENERAL FILE

LEGISLATIVE BILL NO. 12. Mr. Neubauer moved to adopt the Standing Committee amendments as found in the Legislative Journal for the Forty-eighth Day and embodied in the mimeographed copy, dated May 8, 1939.

The motion prevailed.

Mr. Gantz requested that the Herrick-Von Seggern motion be considered in lieu of the Gantz-Miller motion to the same effect.

Mr. Herrick and Mr. Von Seggern offered the following amendment:

Amend the unofficial copy, mimeographed, of the bill with Standing Committee Amendments prepared pursuant to motion, May 8, 1939, page 1, Section 1, lines 2 and 3, by striking therefrom the words "as defined by the laws of this state" and by inserting in lieu thereof the following: "containing ten per cent or more of Ethyl alcohol which has been processed in Nebraska from farm crops grown in the continental United States".

After discussion Mr. Klaver moved the previous question.

The motion prevailed with 30 ayes, no nays, 12 not voting.

The Herrick-Von Seggern amendment was adopted.

Mr. Schultz offered the following amendments, which were adopted:

In Line 6, Sec. 2, Page 2 of the mimeographed amendment to L. B. No. 12, following the word "machinery" insert the following: "stoves, lamps or other household equipment".

Insert the same amendment in line 10, Sec. 2, page 2, after the word "machinery".

Mr. Mekota offered the following amendments, which were adopted:

Amend L. B. 12, standing committee amendments, mimeographed, Section 1 as follows: strike the words "buy or use" in line 2 and insert in lieu thereof the following: "buy for use and use in". Strike the words "for any purpose" in line 3.

Mr. Neubauer moved to refer to E and R for review.

Record vote requested.

Voting in the affirmative, 20:

Adams, J. Jr.
Ashmore
Callan
Carlson
Doyle
Gantz
Garber
Hastings
Herrick
Johnston
Mekota
Miller
Mueller
Neubauer
Schultz
Sorrell
Thornton
Van Diest
Von Seggern
Westley

Voting in the negative, 3:

Klaver
Peterson
Thomas

Not voting, 20:

Adams, E. A.
Brady
Brodecky
Carsten
Craven
Diers
Dunn
Gross
Gutoski
Hall
Howard
Johnson
Lambert
Mischke
Murphy
Norman
Reavis
Reed
Rossiter
Tvrdik

The motion prevailed.

Referred to E and R for review.

Approved by Governor

May 29th, 1939.

To the Members of the Legislature

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bills:

L. B. No. 106
L. B. No. 272
L. B. No. 299
L. B. No. 400
L. B. No. 410
L. B. No. 465
L. B. No. 515
L. B. No. 518
L. B. No. 327

Respectfully submitted,
(Signed) Otho K. De Vilbiss
Secretary to the Governor.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 86. Placed on Select File with amendments.

E and R amendments to L. B. No. 86:

I. Amend the General File Amendments, original, Amendment 2, adopted May 25, 1939, line 2 by striking the word "Sections" and by inserting in lieu thereof the abbreviation and punctuation "Secs." and in line 4 of said amendment insert the punctuation "," after the section symbol "59-522" and before the abbreviation and punctuation "Comp.".

II. Amend the General File Amendments, original, Amendment 2, adopted May 25, 1939, by inserting after the last word "repealed" and before the punctuation ".", the following:

": Provided, the provisions of this Act shall be deemed and construed as cumulative with and supplemental to the provisions of Sections 59-501, 59-502, 59-503, 59-504, 59-505, 59-506, 59-507, 59-508, Compiled Statutes of Nebraska, 1929".

III. Amend the Standing Committee Amendments, mimeographed, March 9, 1939, page 4, Amendment 2, pursuant to General File Amendment 5, adopted May 25, 1939, by striking that part of Amendment 2, commencing with the words "to repeal" in line 9 therein down to and including the figures "1929" in line 11 therein and by inserting in lieu thereof the following:

"; to provide a validity clause; to provide that this Act shall be cumulative with Sections 59-501 to 59-508, inclusive, Compiled Statutes of Nebraska, 1929; to repeal Secs. 59-510, 59-511, 59-512, 59-513, 59-514, 59-515, 59-516, 59-517, 59-518, 59-519, 59-520, 59-521 and 59-522, Comp. St. Supp., 1937".

IV. Engross and enroll the bill so that all underscore, referring to definition of terms are indicated in final copy thereof.

Correctly Enrolled

Legislative Bill No. 331

(Signed) Klaver, Vice Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill No. 331

GENERAL FILE

LEGISLATIVE BILL NO. 522. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 523. Read and considered.

Referred to E and R for review.

Position Changed

On request by Mr. Mischke consent was granted to consider L. B. No. 231 next, and L. B. No. 298 was placed in the position of L. B. No. 231.

GENERAL FILE

LEGISLATIVE BILL NO. 231. Read and considered.

No action taken thereon.

Member Excused

Mr. Carsten asked to be excused at 3:00 p. m. So ordered.

Recess

At 12:00 m. on motion by Mr. Reed the Legislature recessed until 2:00 p. m.

After Recess

The Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present except Mr. Craven who was excused.

GENERAL FILE

LEGISLATIVE BILL NO. 231. Standing Committee amendments as found in the Legislative Journal for the Fifty-sixth Day were adopted.

Mr. Mischke offered the following amendments, which were adopted:

1. Amend the printed bill, page 4, by striking all of Sections 3 and 4 thereon and by inserting in lieu thereof the following:

"Sec. 3. That Sec. 77-2508, Comp. St. Supp., 1937, be amended to read as follows:

77-2508. For the security of the funds so deposited under the provisions of this article the county treasurer shall require all such depositories to give bonds for the safe keeping and payment of such deposits and the accretions thereof, which bond shall run to the people of the county, and be approved by the county board and conditioned that the depository shall, at the end of each and every month, render to the treasurer and county board a statement in duplicate, showing the several daily balances and the amounts of moneys of the county held by it during the month, and how credited; and for the payment of the deposits, when demanded by the county treasurer on his check at any time, as hereinbefore provided, and generally do and perform whatever may be required by the provisions of this article, and a faithful discharge of the trust reposed in such repository. The bond in substance shall be similar to the bond required and set forth in ~~Section~~ **Sec. 77-2503, Comp. St. Supp., 1937, as now existing or as hereafter** ~~as~~ amended ~~in this section~~. No person in any way connected with any depository bank as officer or stockholder shall be accepted as a surety on any bond given by the bank of which he is an officer or stockholder. The treasurer shall not have on deposit in any bank at any time more than the amount insured by the Federal Deposit Insurance Corporation plus the maximum amount of the bond given by said bank in cases where the bank gives a guaranty bond, nor in any bank giving a personal bond more than the amount insured by the Federal Deposit Insurance Corporation plus one-half of the amount of the bond of such bank, and the amount so on deposit at any time with any such bank shall not in either case exceed fifty per cent of the paid up capital stock and surplus of such bank : Provided, when the amount of money which the county treasurer desires to deposit in the banks within the county exceeds fifty percent of the paid capital and surplus in all of the banks in such county, then the county treasurer may with the consent of the county board deposit an amount in excess thereof, but not exceeding the capital stock and surplus in any one bank; and provided further, bond shall be required of all banks for such excess deposit. Said bonds shall be deposited with the county clerk and approved by the county board. Where banks located in the county refuse or neglect to bid on said money, or where there are not banks in the county, or where the banks located in the county have not sufficient capital stock and surplus to receive said money under this article, then any surplus over the amount herein specified that banks in the county may receive shall be deposited in banks outside of the county having sufficient capital stock and surplus under the same conditions and terms as if in the county. In lieu of a bond as above provided, any bank making application to become a depository under the provisions of this article may deposit with the county clerk, United States ~~Government~~ **government** bonds, **United States government guaranteed bonds or notes, or bonds or notes of governmental**

agencies, or bonds of the State **state** of Nebraska or of any state whose bonds are purchased by the Board of Educational Lands and Funds of this state for investment of the permanent school fund, or warrants of the State **state** of Nebraska, also county bonds, municipal bonds or school district bonds of any county, city, village or school district in the state of Nebraska issued under the direction of and with the approval of the Auditor of Public Accounts, or securities issued under the authority of the Federal Farm Loan Act, or warrants of the county or any city, village or school district in the county. The depository bank furnishing securities above described shall have the right to substitute other approved securities herein provided for in lieu of securities already pledged if it so desires at any time: Provided, in counties having a population of 200,000 **two hundred thousand inhabitants** or more the county board may by resolution authorize the County Treasurer **county treasurer** to accept the substitution of other approved securities in lieu of securities already pledged and report such action at the next meeting of the county board. If the action of the treasurer in accepting such substitution shall not be approved by the board at such first meeting, then the bank shall be required to deposit securities satisfactory to the board, or the treasurer shall withdraw the deposit within three days. Such securities substituted must, however, be those provided for in this article, and approved by the members of the county board, the total value of which in the case of bonds alone shall at all times equal ten percent more than the maximum amount of the deposit to which the bank is entitled. Any bank which has deposited securities under the provisions of this article, may withdraw the same by paying over to the County Treasurer **county treasurer** all funds for which such securities are deposited as surety, and the certificate of the county treasurer shall be sufficient evidence of such fact. When such certificate is filed with the county clerk he is empowered to assign such securities to the owner thereof. All interest coupons attached to securities named in this article shall be detached by the holder or trustee thirty days before maturity and returned to the depository bank pledging the security. Any treasurer, or any officer of a bank, who shall directly or indirectly violate or knowingly permit to be violated the provisions of the within section so far as it relates to the deposit of public money in a bank, shall be guilty of a felony, and, upon conviction thereof, shall be fined in any sum not less than One Hundred Dollars **one hundred dollars** nor more than One Thousand Dollars **one thousand dollars** or shall be imprisoned in the penitentiary for not less than one year and not more than three years.

Sec. 4. That said original Secs. 77-2534, 77-2535 and 77-2508, Comp. St. Supp., 1937, are hereby repealed.

Sec. 5. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law."

2. Amend the printed bill, page 1, title, line 2 by striking therefrom the word and section symbol "and 77-2535" therein and by inserting in lieu thereof the following:

", 77-2535 and 77-2508"; and in line 7 of said title after the word and punctuation "deposits;" therein insert the following:

"to provide that United States government guaranteed bonds or notes or bonds or notes of governmental agencies shall be deemed to be eligible securities which depositories of county funds may substitute in lieu of the requisite depository bond for safe keeping of said county moneys;".

Referred to E and R for review.

LEGISLATIVE BILL NO. 202. Standing Committee amendments, referred to in Legislative Journal for the Fifty-second Day, mimeographed and dated March 18, 1939, were read and considered.

Mr. Brodecky offered the following amendment, which was adopted:

Strike the following words appearing in page 3, paragraph 1, line 18:

"Such license shall be issued to a person only, and not in the name of a firm, copartnership, corporation or association and may be renewed each year by such person upon payment of the annual fee and without reexamination:".

Mr. Garber offered the following amendment, which was adopted:

Amend Sec. 5, by striking the following in line 10, page 3:

"and payment of an annual fee of one dollar and demonstration of ability to candle eggs successfully passing a reasonable examination such as may be prescribed by the Department of Poultry Husbandry, University of Nebraska,".

The amended bill, as amended, was adopted.

Referred to E and R for review.

MOTION—Memorial Day

Mr. President: I move to reconsider our action of Friday morning on the Gross motion regarding meeting on Memorial Day. (Signed) Brady.

The motion prevailed with 29 ayes, 1 nay, 13 not voting.

The Chair put the question "Shall the Legislature meet Tuesday the thirtieth?"

The motion was lost.

GENERAL FILE

Mr. Thomas moved to consider L. B. No. 296 ahead of L. B. No. 67.

The motion was lost.

LEGISLATIVE BILL NO. 67. Read and considered.

Mr. Gantz presiding.

Mr. Brady moved to strike the enacting clause.

President Johnson presiding.

A call of the House was ordered and raised five times.

The motion was lost with 19 ayes, 21 nays, 3 not voting.

MOTION—Opinion Attorney General

Mr. President: I move that L. B. No. 67 be referred to the Attorney General for an opinion as to its constitutionality, and that it retain its place on General File. (Signed) John Adams, Jr.

The motion prevailed.

Explanation of Vote

Mr. President: I vote aye because I question the constitutionality of this bill. (Signed) Van Diest.

LEGISLATIVE BILL NO. 352. Mr. Johnston moved that the Standing Committee amendments as found in the Legislative Journal for the Fifty-fourth Day be rejected.

The motion prevailed.

Referred to E and R for review.

LEGISLATIVE BILL NO. 207. Standing Committee amendments read and considered in lieu of original bill.

Standing Committee amendments as referred to in Legislative Journal for the Fifty-fourth Day were adopted.

Referred to E and R for review.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL NO. 521. Placed on Select File with amendments.

E and R amendments to L. B. No. 521:

I. Engross and enroll the bill so that the style thereof, including capitalization, underscoring, tabulation, carry overs, leaders, dollar signs and punctuation shall comply strictly with the form set forth in the original bill.

II. Strike all of General File Amendment No. 10, Brodecky, adopted May 23, 1939 and insert in lieu thereof the following:

1. Amend the original bill, page 2, Section 2, by inserting immediately after line 19 therein (the printed bill, page 2, Section 2, line 16) the following:

"Clerk of Legislature.

Salary .... 7,200.00".

III. Amend the printed bill only, page 3, Section 7, line 4 by striking the word "reappropriation" therein and by inserting in lieu thereof the word "reappropriate".

IV. Amend the printed bill only, page 4, Section 10, line 7 by striking the punctuation, first quotation marks, therein.

V. Amend the original bill, page 6, Section 11, (the printed bill, page 5, Section 11) by inserting after the conclusion of line 21 of the original bill (line 17 of the printed bill) the following:

"Insect Pests and Plant Diseases."

so that the same will be engrossed centered in its proper place in the engrossed and enrolled bill.

VI. Amend the original bill, page 6, Section 11, line 26 (the printed bill, page 5, Section 11, line 21) by striking therefrom the words and punctuation "Weed control; eradication" and by inserting in lieu thereof the word "Eradication", paragraph to be engrossed and enrolled with two em quads indent for all lines of paragraph after line 1, as per style elsewhere in bill; and immediately following line 25 of the original bill (line 20 of the printed bill) insert as section subhead, centered, as per style of bill, the words and punctuation "**Weed Control.**".

VII. Amend the General File Amendments, amendment No. 14, original, Murphy, adopted May 24, 1939, lines 3 and 4, by striking therefrom the words "plus unexpended balance", the same being a repetition.

VIII. Amend the original bill, page 7, Section 14, line 12 (the printed bill, page 6, Section 14, line 10) by striking the leaders after the word "estimated" therein and by inserting in lieu thereof the puncuation "."; and on page 7, Section 15, lines 12 and 17 of the printed bill only, strike out the leaders after the word "estimated" or after the syllable "mated" in each of said lines respectively and insert in lieu thereof the punctuation"." in the block.

IX. Amend the printed bill only, page 9, Section 25, line 4, by striking therefrom the abbreviation and punctuation "No.".

X. Amend the General File Amendments, Tvrdik, amendment No. 2, adopted May 19, 1939, original, by striking all of said amendment, and strike on page 11, Section 28, line 3 of the original bill (page 9, Section 28, line 3 of the printed bill) and insert in lieu thereof the following:

"Law enforcement, general criminal laws..........$40,000.00"

XI. Amend the original bill, page 11, Section 29, line 5 (the printed bill, page 9, Section 29, line 4) by inserting the punctuation "," after the figure "1" and before the figure "8" therein.

XII. Amend the original bill only, page 14, Section 37, line 16, by striking therefrom the word "exceed".

XIII. Amend the General File Amendments, amendment No. 16, Mekota, original, page 1, line 3, adopted May 24, 1939, by engrossing the words "State Engineer" therein in lower case.

XIV. Amend the General File Amendments, original, amendment No. 17, Carsten and Tvrdik, adopted May 24, 1939, page 1, line 5, by engrossing the word "**intra-state**" as one word in lower case underscored.

XV. Amend the printed bill only, page 21, Section 50, line 30, by striking therefrom the preposition "for" therein.

XVI. Amend the General File Amendments, original, Callan, amendment No. 19, adopted May 24, 1939, line 2, by engrossing the words "Aeronautics Commission" therein in lower case.

XVII. Amend the General File Amendments, original, Dunn, amendment No. 18, page 1, adopted May 24, 1939, lines 1 and 3, by inserting the punctuation "," before the word "estimated" wherever the same appears in each of said lines respectively.

XVIII. Amend the original bill, page 27, Section 55, line 12 (the printed bill, page 23, Section 55, line 10) by striking the punctuation "," after the word "funds" and before the conjunction "and" therein and by inserting in lieu thereof the punctuation ";".

XIX. Amend the original bill, page 27, Section 57, line 3 (the printed bill, page 23, Section 57, line 3) by engrossing the first word **"appropriation"** therein in lower case, not underscored.

XX. Amend the printed bill only, page 12, following Section 33, as amended, and preceding Section 34, by inserting above the right hand column of the page and over the column of figures the following:

"From other than Property Tax Funds.

For Biennium."

XXI. Amend the General File Amendment No. 23, May 25, 1939 (original bill, page 22, Sec. 47, line 8) by striking from the amendment the words "of said commission".

XXII. Amend the original bill, page 23, Sec. 50, lines 24 to 27 (the printed bill, page 20, Sec. 50, lines 20 to 22), as amended, by striking therefrom all matter following the words "State Administration" and inserting in lieu thereof, the following:

> "and to assist in county administration as provided in said bill, not to exceed 3%, estimated, $246,780.00; (b) for assistance and for items other than state administration, $7,979,220.00."

XXIII. Amend the General File Amendment No. 17, May 24, 1939, by inserting after the figure and punctuation "100," the following: "Fifty-third Session, Nebraska State Legislature, 1939,".

(Signed) Klaver, Vice Chairman

MOTION—To Suspend Rules

Mr. President: I move that the rules be suspended and we consider L. B. No. 521 on Select File at this time for the purpose of adopting E and R amendments. (Signed) Klaver

The motion prevailed with 30 ayes, no nays, 13 not voting.

SELECT FILE

LEGISLATIVE BILL NO. 521. E and R amendments set out above were adopted.

MOTION—To Recess

Mr. Klaver moved to recess until 8:00 p. m.

The motion was lost with 6 ayes, 21 nays, 16 not voting.

GENERAL FILE

LEGISLATIVE BILL NO. 205. Read and considered.

Messrs. Johnson and Westley moved to refer to E and R for review.

The motion prevailed.

LEGISLATIVE BILL NO. 298. Read and considered.

Mr. Mischke offered the following amendments:

1. Amend the printed bill, page 1, Section 1, line 9 by striking the word "fifty" therein and by inserting in lieu thereof the words **"two hundred".**

2. Amend the printed bill, page 1, Section 1, by striking that part of said section commencing with the word **"make"** in line 17 therein down to and including the word and punctuation **"animals."** in line 22 on page 2 of said section and by inserting in lieu thereof the following:

"be the duly authorized agents or employees of a rendering establishment duly licensed and bonded as hereinbefore required by the provisions of this section and on each vehicle used or employed by the agent or employee of said licensed rendering establishment there must be displayed in a conspicuous place on each side of said vehicle the license number of the rendering establishment for the current year."

3. Amend the printed bill, page 2, Section 2, line 15 by inserting immediately before the word "That" therein the following:

"That said containers or vehicles shall be so constructed that the height of the sides thereof shall be not less than four feet. 3rd.".

4. Amend the printed bill, page 2, Section 2, line 17, by striking therefrom the figure and abbreviation "3rd." and by inserting in lieu thereof the following: "4th."

Mr. Murphy moved to indefinitely postpone.

The motion prevailed with 14 ayes, 5 nays, 24 not voting.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 522. Placed on Select File

LEGISLATIVE BILL NO. 523. Placed on Select File with amendments.

E and R amendments to L. B. No. 523:

I. Amend the printed bill only, page 1, title, line 12 by striking therefrom the word "heretofore" and by inserting in lieu thereof the word "hereafter".

II. Amend the original bill, page 1, title, line 26 (the printed bill, page 1, title, line 18) by striking the figures "1939" and by inserting in lieu thereof the figures "1941".

III. Amend the original bill, page 4, Section 4, line 2 (the printed bill, page 2, Section 4, line 2) by inserting the punctuation "," after the figures "1939" and before the word "are" therein.

IV. Amend the original bill, page 2, Section 1, line 6 (the printed bill, page 2, Section 1, line 5) by striking therefrom the word "board" and by inserting in lieu thereof the word "boards".

Correctly Engrossed

LEGISLATIVE BILL NO. 471.

Correctly Enrolled

L. B. No. 307
L. B. No. 133
L. B. No. 174
L. B. No. 173
L. B. No. 491
L. B. No. 76
L. B. No. 179

(Signed) Klaver, Vice Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 307
L. B. No. 491
L. B. No. 133
L. B. No. 76
L. B. No. 174
L. B. No. 179
L. B. No. 173

Adjournment

At 5:47 p. m. on motion by Mr. Tvrdik the Legislature adjourned until Wednesday.

Hugo F. Srb,
Clerk of the Legislature.

ONE-HUNDRED FIFTH DAY

Legislative Chamber,
Lincoln, Nebraska, May 31, 1939.

The Legislature met at 9:00 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Reavis who was ill.

The Journal for the One-hundred Fourth Day was approved as corrected.

PETITIONS AND MEMORIALS

Mr. Tvrdik introduced three petitions favoring L. B. No. 67.

MOTION—Flowers for Member

Mr. President: I move that this Legislature send flowers to Mr. Reavis, who is ill. Schultz.

The motion prevailed.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 221. Placed on Select File with amendments.

E and R amendments to L. B. No. 221:

I. Amend the bill (both printed and original) by striking the word "State" wherever the same appears and by inserting in lieu thereof the word "state".

II. Amend the original bill only, page 13, Section 13, line 54 by striking the word "assigner" therein and by inserting in lieu thereof the word "assignor".

III. Amend the original bill only, page 14, Section 13, line 87 by striking therefrom the word "die" therein and by inserting in lieu thereof the word "side".

IV. Amend the original bill only, page 16, Section 13, line 153 by striking therefrom the word "no" therein and by inserting in lieu thereof the word "not".

V. Amend the original bill only, page 18, Section 13, line 234 by striking therefrom the word "Made" therein and by inserting in lieu thereof the word "Make".

VI. Amend the original bill only, page 19, Section 13, line 252 by inserting the parenthesis before the word "Memorandum" therein.

VII. Amend the original bill only, page 19, Section 13, line 267 by inserting the parenthesis after the word "of" therein.

VIII. Amend the original bill, page 20, Section 13, line 290 (the printed bill, page 18, Section 13, line 290) by engrossing the words "Attorney General" therein in lower case.

IX. Amend the original bill, page 20, Section 14, line 16 (the printed bill, page 18, Section 14, lines 14 and 15) by engrossing the words "State Treasurer" therein in lower case.

X. Amend the original bill, page 21, Section 15, lines 6, 7 and 9 (the printed bill, pages 18 and 19, Section 15, lines 6, 7 and 9) by inserting the punctuation "," after the words "licenses", "applicants", "Article" and **"Irrigation"** wherever the same appear in each of said lines respectively.

XI. Amend the original bill, page 21, Section 15, line 11 (the printed bill, page 19, Section 15, line 10) by inserting after the figures "1922" therein the following:

", as amended,"

XII. Amend the original bill, page 21, Section 15, line 11 (the printed bill, page 19, Section 15, line 10) by inserting the punctuation "," after the section symbol **"39-1405" therein;** and in said section, line 11 of the original bill (line 11 of the printed bill) strike **"shall"** therein and insert in lieu thereof the word "shall".

XIII. Amend the original bill, page 21, Section 15, line 13 (the printed bill, page 19, Section 15, line 12) by striking therefrom "; provided" therein and by inserting in lieu thereof ": Provided,"

XIV. Amend the original bill, page 21, Section 16, line 1 (the printed bill, page 19, Section 16, line 1) by inserting the word "said" after the word "That" and before the word "original" therein.

XV. Amend the original bill, page 1, title, by engrossing said title in caps and lower case.

XVI. Amend the original bill, page 5, Section 7, lines 6 and 7 (the printed bill, page 4, Section 7, lines 6 and 7) strike the word "indexes" and insert in lieu thereof the word "indices".

XVII. Amend the original bill, page 6, Section 7 line 21; page 19, Section 13, lines 268 and 274 (the printed bill, page 5, Section 7, line 21; page 17, Section 13, lines 268 and 274, respectively) by striking therefrom the word or words "lien-holders", "line-holder" or "lien-holder", and insert in lieu thereof the words "lien holder" or "lien holders", respectively.

XVIII. Amend the original bill, page 12, Section 13, line 14 (the printed bill, page 10, Section 13, line 14) by striking therefrom the words "Body type" and inserting in lieu thereof the words "Body Type".

LEGISLATIVE BILL NO. 205. Placed on Select File with amendments.

E and R amendments to L. B. No. 205:

I. Amend the original bill, page 1, Title, Line 4 (the printed bill, page 1, Title, line 3) by striking the word "River" therein and by inserting in lieu thereof the word "river"; and in said line 4 of the title of the orignial bill (line 3 of the title of the printed bill) strike the word "Counties" therein and insert in lieu thereof the word "counties".

II. Amend the original bill, page 1, Section 1, line 3 (the printed bill, page 1, Section 1, line 2) by striking the punctuation ";" therein and by inserting in lieu thereof the punctuation ","; and in line 3 of said Section 1 of the original bill (line 3, Section 1 of the printed bill) strike the word "State" therein and insert in lieu thereof the word "state".

III. Amend the original bill, page 1, Section 1, line 6 (the printed bill, page 1, Section 1, line 5) by striking therefrom the word "River" therein and by inserting in lieu thereof the word "river".

IV. Amend the original bill, page 1, Section 1, line 8 (the printed bill, page 1, Section 1, line 6) by striking therefrom the word "Counties" therein and by inserting in lieu thereof the word "counties".

V. Amend the original bill, page 2, Section 1, line 9 (the printed bill, page 1, Section 1, line 7) by striking the word "River" therein and by inserting in lieu thereof the word "river".

VI. Amend the original bill, page 2, Section 3, line 16 (the printed bill, page 2, Section 3, line 12) by striking therefrom the word "landowners" and by inserting in lieu thereof the word "landowners".

VII. Amend the original bill, page 2, Section 4, line 3 (the printed bill, page 2, Section 4, line 2) by inserting the punctuation "," after the word "misdemeanor" and before the conjunction "and" therein.

VIII. Amend the original bill, page 2, Section 3, line 13 (the printed bill, page 2, Section 3, line 9) by striking the word "the" after the word "prevent" and before the word "Game", and insert in lieu thereof the word "The".

LEGISLATIVE BILL NO. 352. Placed on Select File with amendments.

E and R amendments to L. B. No. 352:

I. Amend the original bill, page 2, Section 1, line 17 (the printed bill, page 1, Section 1, line 12) by inserting the word **"legal"** after the word "some" and before the word "newspaper".

II. Amend the original bill, page 2, Section 1, line 18 (the printed bill, page 1, Section 1, line 13) by striking therefrom the word "consecutive" and by inserting in lieu thereof the word "successive".

III. Amend the original bill, page 2, Section 1, line 19 (the printed bill, page 1, Section 1, line 14) by striking therefrom the words and punctuation **"Provided, further"** and by inserting in lieu thereof the following:

"and provided further".

LEGISLATIVE BILL NO. 1. Placed on Select File.

Correctly Engrossed

L. B. No. 390 L. B. No. 326 L. B. No. 172

(Signed) Craven, Chairman.

SELECT FILE

LEGISLATIVE BILL NO. 372. Mr. Craven offered the following amendments which were adopted by unanimous consent.

1. Amend the printed bill, page 1, Section 1, line 3, by striking therefrom the word "males", after the word "All" and before the word "residing" and inserting in lieu thereof the following:

"male citizens of the United States"

2. Amend the printed bill, page 1, Section 1, line 4, by striking the punctuation "," after the word "years"; and by inserting after the word "and" and before the preposition "of" (line 5) the following:

"under the age of sixty-five years, free from all legal exceptions, intelligent, of fair character, of approved integrity, well informed, able to read, write and understand the English language,"

3. Amend the printed bill, page 1, Section 1, lines 5 and 6, by striking therefrom the words and punctuation, "supreme court, or district", and by inserting in lieu thereof the word **"any"**.

4. Amend the printed bill, page 1, Section 1, line 12, by reinserting the words "grand and" following the word "all" and before the word "petit".

5. Amend the printed bill, pages 1 and 2, Section 1, by striking therefrom, beginning with the words **"In order"**, in line 12, down to and including the words "**petit** jurors" in line 32, and inserting in lieu thereof the following:

"Any persons belonging to any of the following classes shall be exempt from serving on grand and petit juries: a. Judges of any court. b. Sheriffs, coroners, jailers. c. Persons subject to any bodily infirmity amounting to a disability. d. Persons who have been convicted of a criminal offense punishable by imprisonment in the penitentiary. e. Persons who by special provisions of law are disqualified from acting as jurors. f. Persons under twenty-five years of age or over sixty-five years of age, ministers of the gospel, probate judges, county commissioners, licensed practicing attorneys, practicing physicians, druggists, practicing dentists, postmasters, carriers of the United States mail, licensed embalmers, members of the state militia, members of any fire department or company. g. Persons who have served in any court of record within one year previous to the time his name was drawn as juror by the jury commissioner as aforesaid. h. Persons who are parties to a suit pending in the district court for trial at that term. i. Clerks of courts"

6. Amend the printed bill, page 4, Section 6, line 3, by striking therefrom the words **"petit** jury list" and inserting in lieu thereof the following: **"grand and petit jury lists"**.

7. Amend the printed bill, page 4, Section 6, by striking therefrom all of the new matter beginning with the words **"In making"** in line 12, down to and including the words and punctuation **"language; (f)"** in line 24 on page 5, and by inserting in lieu thereof the following: **"Fifth."**

8. Amend the printed bill, page 13, Section 17, line 41, by striking therefrom the words and punctuation as follows:

", property qualifications".

9. Amend the Standing Committee Amendments (mimeograph copy, February 27, 1939) amendment 3, page 1, line 7, by inserting after the word **"grand"** and before the word **"juror"** the following: **"or petit"**.

10. Amend the printed bill, page 13, Section 18, by striking all of said section, commencing with line 3, down to and including the words and punctuation **"grand juries:"** in line 24 on page 14, and by inserting in lieu thereof the following:

"20-1636. All male citizens of the United States residing in any of the counties of this state, having the qualificatons of electors, over the age of twenty-five years and under the age of sixty-five years, free from all legal exceptions, intelligent, of fair character, of approved integrity, well informed, able to read, write and understand the English language, of sound mind and discretion and not being judges of any court, clerks of the supreme or district courts, sheriffs, or jailers, or subject to any bodily infirmity amounting to a disability, and who have not been convicted of a criminal offense punishable by imprisonment in the penitentiary, and are not subject to liability for the commission of any offense which by special provisions of law does or shall disqualify them, are and shall be competent persons to serve on all grand and petit juries, within their counties respectively. Any persons belonging to any of the following classes shall be exempt from serving on grand or petit juries:".

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 521. Mr. Schultz moved to suspend the rules and allow submission of amendments on Select File as on General File.

The motion prevailed with 37 ayes, no nays, 6 not voting.

Ernest A. Adams moved that the Legislature reconsider its action in regard to amending the bill concerning inspection of high schools.

The motion prevailed with 33 ayes, no nays, 10 not voting.

Ernest A. Adams offered the following amendment, which was adopted:

In Sec. 10, after line 23, insert the following words:

"Expense of inspection and inspection of high schools 9,000.00"

Mr. Brady offered the following amendments, which were adopted:

R. Amend the printed bill, page 12, Section 35, by inserting in the block immediately after line 7 therein the following:

"Appropriate from all moneys collected during the 1939-1941 biennium and then reappropriate any unexpended balance, as of June 30, 1939, for the uses and purposes of said fund, no estimate."

S. Amend the printed bill, page 12, Section 35, by inserting in the block immediately after line 14 therein the following:

"Appropriate from all moneys collected during the 1939-1941 biennium and then reappropriate any unexpended balance, as of June 30, 1939, for the uses and purposes of said fund, no estimate."

V. Amend the printed bill, page 23, Section 55, line 11 by inserting immediately after the word and punctuation "fund." therein the following subsection to be known and lettered as follows:

"(d) To the Board of Control of state institutions, the State Assistance Revolving Fund mentioned in Legislative Bill No. 519, Fifty-third Session, Nebraska State Legislature, 1939.".

1. Amend the printed bill, page 13, Section 38, by striking that part of said section commencing with line 2 down to and including line 14 therein and by inserting in lieu thereof the following:

"Bureau of Dairies, Foods and Drugs

Any unexpended balance arising under Paragraph 1, Section 37, Chapter 193, Session Laws of Nebraska, 1937, as amended, as of June 30, 1939, after reappropriating thirty thousand dollars to the Division of Motor Fuels Fund, as directed elsewhere in this section, together with all moneys collected by said Bureau of Dairies, Foods and Drugs under Article 10, Chapter 81, Comp. St. Supp., 1937, as amended, and together with all moneys collected under Legislative Bill No. 344, Fifty-third Session, Nebraska State Legislature, 1939, and all moneys collected under all other relevant statutes relating to the Department of Agriculture and Inspection activities except where specific appropriations are, in this section, made for such activities, or so much thereof as may be needed for the maintenance and support of the Bureau of Dairies, Foods and Drugs and said activities of the Department of Agriculture and Inspection which shall include the salary of the director of said department, which shall include amounts necessary for the seed testing activity of said department and which shall include not more than the sum of one thousand dollars for the salaries of assistants and office help in the attorney general's office, said one thousand dollars to be expended under the direction of the attorney general and subject to the approval of the director for legal service performed for said department; not to exceed,............$195,000.00".

1. Amend the printed bill, page 13, Section 38, line 2 by striking therefrom the punctuation and word "; **Oil**"; on pages 13 and 14 of said Section 37 strike all of that portion of said section commencing at line 15 on page 13 down to and including line 25 on page 14 and by inserting in lieu thereof the following:

"Division of Motor Fuels.

From all moneys collected from fees arising under Sec. 66-303, Comp. St. Supp., 1937, administered pursuant to Legislative Bill No. 331, Fifty-third Session, Nebraska State Legislature, 1939, one and one-half cents per barrel oil inspection fee, estimated $210,000.00; from all moneys collected from fees arising under Article 8, Chapter 60, Comp. St. Supp., 1937, as amended, motor vehicle towing fees, estimated $25,000.00; from all moneys collected from fees arising under Article 8, Chapter 66, Comp. St. Supp., 1937, as amended, port of entry fees, estimated $45,000.00 and gasoline transport fees, estimated $8,000.00; from portion of unexpended balance arising under Paragraph 1, Section 37, Chapter 193, Session Laws of Nebraska, 1937, Bureau of Food, Drugs and Oil, Auditor's Acct. No. 121, $30,000.00; total estimated $318,000.00, reappropriated as follows:

a. Inspection and Gasoline Tax Collection.

Salaries and wages (including amount to be expended under the direction of the attorney general and subject to the approval of the director, for salaries of assistants and office help in the office of the attorney general, not exceeding $6,000.00) estimated........	$88,200.00
Maintenance, estimated	90,300.00

b. Ports of Entry.

Salaries and wages, estimated.........................	82,000.00
Maintenance, estimated	43,000.00".

T. Amend the printed bill, page 17, Section 43, immediately after line 6 of said Section 43 insert a new subsection as follows:

"Bureau of Securities.

First reappropriate, to be immediately available from the effective date of this Act to the end of the 1937-1939 biennium and for the biennium ending June 30, 1941, portion of unexpended balance, as of June 30, 1939, in Aud. Acct. No. 212, $10,000.00, and then appropriate all fees collected from the effective date of this Act and during the biennium ending June 30, 1941, through administration and enforcement of Legislative Bill No. 307, Fifty-third Session, Nebraska State Legislature, 1939, for expenditures, estimated.................$20,000.00".

U. Amend the printed bill, page 18, Section 44, by striking all of lines 10 to 16 thereon and by inserting in lieu thereof the following:

"Department of Insurance, for field investigation and expenses incident to litigation, first appropriate all moneys received from filing, registration of agents and miscellaneous fees, and then reappropriate unexpended balance in Aud. Acct. No. 212, as of June 30, 1939, after having reappropriated estimated portion of said unexpended balance, as directed in Section 43 of this Act in the sum of $10,000.00 for the uses and purposes of the Bureau of Securities, and then appropriate all fees estimated expenditures..........................$60,000.00".

Mr. Peterson offered the following amendment, which was adopted:

Strike the words and figures "not to exceed $629.60 due on award made by Workmen's Compensation Court; for" lines 5 to 7 Sec. 49, and insert after the word "maintenance" in line 2 Sec. 22 the following: "not to exceed $629.60 due on award made by Workmen's Compensation Court,".

Mr. Von Seggern offered the following amendment, which was adopted:

Strike out $4600 in line 24, Section 11, L. B. 521 and insert $14,600. in its place.

Mr. Klaver offered the following amendment:

Amend Sec. 50, State Assistance Fund, line 15 by striking out $8,226,000 and inserting in lieu thereof $8,400,000; amend further, same section, line 20, by striking out $246,780 and inserting in lieu thereof $365,612.40; and amend further, same section, line 22, by striking out 7,979,220 and inserting in lieu thereof $8,034,387.60; amend further, same Section, Line 26, by striking out $6,500,000.00 and insert $6,654,000.

After discussion Mr. Von Seggern moved the previous question.

The motion prevailed, with 30 ayes, no nays, 13 not voting.

Vote was taken on the motion to amend.

A record vote was requested.

A call of the House was ordered.

The call was raised.

Voting in the affirmative, 24:

Adams, E. A.
Adams, J. Jr.
Callan
Craven
Doyle
Dunn
Gantz
Gutoski
Hastings
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mueller
Neubauer
Norman
Rossiter
Schultz
Thornton
Tvrdik
Van Diest
Westley

Voting in the negative, 14:

Ashmore
Brady
Brodecky
Carlson
Carsten
Diers
Garber
Gross
Howard
Mischke
Murphy
Peterson
Thomas
Von Seggern

Not voting, 5:

Hall
Herrick
Reavis
Reed
Sorrell

The amendment was adopted.

Explanation of Vote

Mr. President: I vote aye because of the action of the Legislature May 29th in taking an extra one per cent for administration purposes.

(Signed) Miller

Mr. Callan offered the following amendment, which was adopted:

Sec. 11, line 5, page 5 strike 1,100.00 and insert 5,000.00.

Mr. Brady offered the following amendment, which was adopted:

Sec. 2, after Clerk of the Legislature amendment, insert the following:

"Salaries and wages	2,400.00
Maintenance	1,200.00".

Mr. Diers moved to reconsider the action on the following amendments which were adopted:

1. The amendment striking $1800 in Section 35, line 13, page 12 and inserting in lieu thereof $600.00, the same appearing on page 1192 of the Legislative Journal.

2. The amendment to Section 42 inserting the words "and subject to the approval of the State Engineer" in line 10 of the bill, the same appearing on page 1219 of the Legislative Journal.

3. The amendment to Section 19, page 8, line 11 in which the words "and with the approval of said board" were inserted, the same appearing on page 1224 of the Legislative Journal.

4. The amendment to Section 38, line 12, page 13 inserting the words "and subject to the approval of said director", the same appearing on page 1224 of the Legislative Journal.

5. The amendments to Section 47, as amended, striking the figures "$6,000.00" and inserting in lieu thereof the figures "$2,000.00" and inserting the words "to be expended with the approval of said commission", the same appearing on page 1224 of the Legislative Journal.

6. The amendment to Section 41, line 7, inserting the words "subject to the approval of the department", the same appearing on page 1226 of the Legislative Journal.

And that the language employed in said Bill be restored as it was prior to the adoption of said amendments.

A call of the House was ordered.

The call was raised.

The motion to reconsider was withdrawn.

Recess

At 12:03 p. m. on motion by Mr. Hall the Legislature recessed until 2:00 p. m.

After Recess

The Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present, except Mr. Reavis who was excused.

SELECT FILE

LEGISLATIVE BILL NO. 521. Mr. Diers renewed his motion to reconsider action on the Mekota amendments regarding the appropriation for the attorney general's office.

A call of the House was ordered.

The call was raised.

The motion was lost with 21 ayes, 11 nays, 11 not voting.

Speaker Diers presiding.

Mr. Callan offered the following amendment, which was adopted with 19 ayes, 5 nays, 19 not voting.

Sec. 9, line 4, strike 37,700 and insert 41,100.

Mr. Johnson offered the following amendment, which was adopted with 18 ayes, 15 nays, 10 not voting.

Amend the printed bill, page 12, section 35, lines 9 to 11 inclusive by striking lines 9 to 11 inclusive and by inserting in lieu thereof the following:

"Real Estate Commission, salaries and wages, including manager full time, not to exceed $5640.00."

Mr. Tvrdik offered the following amendment, which was adopted with 22 ayes, 12 nays, 9 not voting:

Sec. 21, page 8, amend by striking $9,600.00 in line 2 and inserting in lieu thereof $10,000.00.

Mr. Brady offered the following amendment, which was adopted:

After 1939 in line 7, Sec. 2, add the following:

"including help in preparation".

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 522. Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 523. E and R amendments as found in the Legislative Journal for the One-hundred Fourth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 86. E and R amendments as found in the Legislative Journal for the One-hundred Fourth Day were adopted.

Mr. Garber moved to indefinitely postpone.

The motion was lost with 7 ayes, 21 nays, 15 not voting.

Mr. Craven moved to refer to E and R for engrossment.

The motion prevailed with 23 ayes, 6 nays, 14 not voting.

Referred to E and R for engrossment.

Approved by Governor

May 29th, 1939.

To the Members of the Legislature:

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bills:

L. B. No. 124 L. B. No. 300

Respectfully submitted,

(Signed) Otho K. De Vilbiss,
Secretary to the Governor.

Message from Governor

May 31st, 1939.

To the Members of the Legislature

Gentlemen:

I am returning herewith legislative bill 495 without my approval for the following reasons:

I consider the method adopted in this bill of allocating highway funds to be a bad policy and the establishment of a precedent which would lead to much confusion and prevent the development of an orderly highway program.

It is entirely possible that the carrying out of this policy in the future would seriously handicap the Highway Department in the matching of federal aid for the reason that the legislature might select a route or routes for preferential construction which would not be approved by the U. S. Bureau of Public Roads.

Respectfully submitted,

(Signed) R. L. Cochran,
Governor.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for Approval

Saturday, May 27, 1939 at 4:00 p. m.

Legislative Bill No. 104

Monday, May 29, 1939, at 11:30 a. m.

L. B. No. 315 L. B. No. 300 L. B. No. 44

Wednesday, May 31, 1939 at 9:15 a. m.

L. B. No. 331 L. B. No. 76 L. B. No. 173 L. B. No. 179
L. B. No. 491 L. B. No. 133 L. B. No. 174 L. B. No. 307

(Signed) Craven, Chairman

MOTION—To Raise L. B. No. 430

Mr. President: I move that L. B. No. 430 be reported out immediately by the Public Works Committee. (Signed) Thomas

After discussion Mr. Hall moved the previous question.

The motion prevailed with 29 ayes, no nays, 14 not voting.

Vote was taken and the Thomas motion was lost with 7 ayes, 14 nays, 22 not voting.

SELECT FILE

LEGISLATIVE BILL NO. 221. E and R amendments as found in this day's Legislative Journal were adopted:

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 205. E and R amendments as found in this day's Legislative Journal were adopted:

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 352. E and R amendments as found in this day's Legislative Journal were adopted:

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 1. Mr. Sorrell moved to refer to General File for the following Specific amendment:

1. Amend the General File Amendments, mimeographed, page 2, amendment 2, Section 1, line 41, by inserting immediately after the word and punctuation "Nebraska." therein the following:

"Each place where motor vehicle fuel is offered for sale shall have and offer for sale motor vehicle fuel which contains not less than five per cent of Ethyl alcohol from and after the time when the provisions of subsection (b) of this section shall cease to be held in abeyance, as hereinbefore provided; and the gasoline used in the preparation of said blended motor vehicle fuel shall be of such quality as to insure a motor vehicle fuel having an end point of not less than four hundred ten degrees Fahrenheit.".

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL NO. 1. Mr. Sorrell moved the adoption of the above Specific amendment.

As a substitute to Mr. Sorrell's amendment, Mr. Herrick offered the following amendment:

Amend L. B. No. 1 in Section 1, as amended, by striking the underlined matter in the mimeographed bill and inserting the following:

Whenever the supply of Ethyl alcohol which has been processed in Nebraska from American farm products is sufficient and can be purchased at a price not to exceed twenty-five cents per gallon, then the Department of Agriculture and Inspection shall require each place where motor vehicle fuel is offered for sale to have and offer for sale motor vehicle fuel which contains not less than five per cent of Ethyl alcohol, and the gasoline used in the preparation of said blended motor vehicle fuel shall be of such quality as to insure a motor vehicle fuel having an end point of not less than four hundred ten degrees Fahrenheit.

The substitute amendment was adopted with 15 ayes, no nays, 28 not voting.

Referred to E and R for review.

Adjournment

Mr. Von Seggern moved to recess until 7:30 p. m.

Mr. Tvrdik offered a substitute motion to suspend the rules and adjourn until 8:00 a. m. Thursday, which was lost.

E. A. Adams moved to adjourn.

The motion was lost.

The Von Seggern motion was lost with 4 ayes, 17 nays, 22 not voting.

GENERAL FILE

Mr. Rossiter moved to suspend the rules and adjourn until 8:00 a. m. Thursday.

The motion was lost with 16 ayes, 6 nays, 21 not voting.

Mr. Ashmore moved to indefinitely postpone all bills on General File not previously acted upon.

The motion was lost with 4 ayes, 17 nays, 22 not voting.

Member Excused

Mr. Brodecky was excused from the session on Thursday.

Recess

At 5:30 p. m. Mr. Tvrdik moved to suspend the rules and adjourn until 8:00 a. m. Thursday.

Mr. Brady offered a substitute motion to recess until 8:00 p. m.

The substitute motion prevailed with 25 ayes, no nays, 18 not voting.

After Recess

The Legislature reconvened at 8:00 p. m. President Johnson presiding.

The roll was called and all members were present except John Adams, Jr. Mr. Carsten, Mr. Lambert and Mr. Schultz, and except Mr. Brodecky and Mr. Reavis who were excused.

GENERAL FILE

LEGISLATIVE BILL NO. 67. Mr. Ashmore moved to indefinitely postpone.

Ernest A. Adams moved that action on the bill be postponed to June 1, 1939.

The Adams motion prevailed.

LEGISLATIVE BILL NO. 150. Mr. Garber moved to indefinitely postpone.

After discussion Ernest A. Adams moved the previous question.

The motion prevailed with 31 ayes, 1 nay, 11 not voting.

Record vote was requested on the Garber motion.

Voting in the affirmative, 14:

Ashmore
Brady
Callan
Carlson
Dunn
Garber
Hastings
Howard
Mischke
Mueller
Murphy
Reed
Rossiter
Van Diest

Voting in the negative, 11:

Adams, E. A.
Diers
Doyle
Gantz
Gross
Gutoski
Hall
Miller
Neubauer
Peterson
Thomas

Not voting, 18:

Adams, J. Jr.
Brodecky
Carsten
Craven
Herrick
Johnson
Johnston
Klaver
Lambert
Mekota
Norman
Reavis
Schultz
Sorrell
Thornton
Tvrdik
Von Seggern
Westley

The motion prevailed.

Indefinitely postponed.

Statement for Journal

Mr. President: I am in favor of a merit system. However, this Legislature is opposed to considering it at this time. I refuse to play politics with this bill, therefore I vote to indefinitely postpone. It is 9:00 p. m. May 31st and we should conclude this legislative session without delay. (Signed) Lester L. Dunn.

LEGISLATIVE BILL NO. 212. Mr. Neubauer asked unanimous consent to consider the mimeographed copy with Standing Committee amendments.

No obejection raised.

The new and stricken matter in the bill was read.

Mr. Von Seggern offered the following amendment, which was adopted:

In line 28 of the mimeographed bill strike the word "of" following the word part and insert in lieu thereof the word "or".

Mr. Neubauer offered the following amendment, which was adopted:

That the name of A. C. Van Diest of Loup be added as one of the introducers.

Mr. Neubauer moved that L. B. 212 with standing committee amendments as appearing in mimeographed copy and as amended be adopted.

The motion prevailed.

Referred to E and R for review.

MOTION—To Place at Head of General File

Mr. President: I move that L. B. No. 198 be placed at the head of General File. (Signed) Rossiter.

Record vote was requested.

A call of the House was ordered.

The call was raised.

Voting in the affirmative, 23:

Adams, E. A.
Ashmore
Brady
Callan
Craven
Diers
Dunn
Gantz
Garber
Gutoski
Hall
Howard
Johnson
Mekota
Mischke
Mueller
Norman
Peterson
Reed
Rossiter
Thomas
Tvrdik
Van Diest

Voting in the negative, 3:

Hastings
Miller
Von Seggern

Not voting, 17:

Adams, J. Jr.
Brodecky
Carlson
Carsten
Doyle
Gross
Herrick
Johnston
Klaver
Lambert
Murphy
Neubauer
Reavis
Schultz
Sorrell
Thornton
Westley

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL NO. 198. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Thirty-ninth Day were adopted.

Referred to E and R for review.

MOTION—To Advance Bills on General File

Mr. President: I move that L. B. No. 318, L. B. No. 340 and L. B. No. 193 be placed at the head of General File.
(Signed) Johnson, Gantz

Mr. President: I move that L. B. No. 444 be placed on General File.
(Signed) Von Seggern

Mr. President: I move that L. B. No. 148 be advanced to the head of General File.
Howard

Mr. Diers offered the following motion as a substitute:

Mr. President: I move that L. B. No. 318, L. B. No. 340, L. B. No. 193, L. B. No. 148 and L. B. No. 444 be advanced on General File following L. B. No. 392.
(Signed) Diers

Division of the question was called for by Miller.

Vote was taken on L. B. No. 318.

The motion, having failed to receive a majority vote of the elected members, was lost with 12 ayes, 6 nays, 25 not voting.

Vote was taken on L. B. No. 340.

The motion was lost with 7 ayes, 8 nays, 28 not voting.

Vote was taken on L. B. No. 193.

The motion, having failed to receive a majority vote of the elected members, was lost with 16 ayes, 6 nays, 21 not voting.

Vote was taken on L. B. No. 148.

The motion prevailed with 23 ayes, 3 nays, 17 not voting.

Vote was taken on L. B. No. 444.

A call of the House was ordered.

The call was raised.

The motion, having failed to receive a majority vote of the elected members, was lost with 18 ayes, 4 nays, 21 not voting.

GENERAL FILE

LEGISLATIVE BILL NO. 374. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Fifty-eighth Day were adopted.

Consent was granted to withdraw the name of Charles F. Tvrdik as an introducer.

Referred to E and R for review.

LEGISLATIVE BILL NO. 399. Mr. Klaver moved to indefinitely postpone.

The motion prevailed.

MOTION—To Advance to Head of General File

Mr. President: I move to advance L. B. No. 219 to the head of General File. Tvrdik.

Having failed to receive a majority vote of the elected members, the motion was lost with 12 ayes, 8 nays, 23 not voting.

Adjournment

At 10:35 p. m. Mr. Brady moved to suspend the rules and adjourn until 7:30 a. m. Thursday.

As a substitute, Mr. Carlson moved to suspend the rules and adjourn until 8:30 a. m. Thursday.

The substitute motion prevailed, with 30 ayes, 3 nays, 10 not voting.

Hugo F. Srb,
Clerk of the Legislature

ONE-HUNDRED SIXTH DAY

Legislative Chamber,
Lincoln, Nebraska, June 1, 1939.

The Legislature met at 8:30 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Brodecky and Mr. Reavis who were excused.

The Journal for the One-hundred Fifth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions from their constituents:

Mr. Norman, one, Mr. Tvrdik, one, Mr. Carsten, one, Mr. Gutoski, one, all favoring L. B. No. 67; all members, four, protesting any attempt to revive any legislation affecting power, irrigation and rural electrification districts.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO . 1. Placed on Select File with amendments.

E and R amendments to L. B. No. 1:

I. Amend the Herrick substitute for the Sorrell amendment, original, by journalizing and engrossing lines 4 to 13 inclusive so that the same will appear in the Final Form on Third Reading as underscored matter.

II. Amend the Herrick substitute (cited above) line 4 by inserting "(b)" immediately preceding the word "Whenever" therein.

III. Amend the General File amendments, mimeographed, page 2, Amendment 3, line 5, by striking all of said amendment after the word and punctuation "thereof;" therein and by inserting in lieu thereof the following:

"to provide rules and regulations governing and controlling the sale or offer for sale of motor vehicle fuel which contains not less than five per cent of Ethyl alcohol; to prescribe the quality of gasoline that shall be used or employed in the preparation of said blended motor vehicle fuel; to provide a validity clause; and to repeal said original section.".

LEGISLATIVE BILL NO. 231. Placed on Select File.

LEGISLATIVE BILL NO. 207. Placed on Select File with amendments.

E and R amendments to L. B. No. 207:

I. Amend the Standing Committee Amendments, mimeographed. May 21, 1939, pages 3, 4 and 5 by striking all of Sections 5, 6 and 7 thereon and by inserting in lieu thereof the following:

"Sec. 5. That Sec. 16-702, Comp. St. Supp., 1937, as amended by Section 5, Legislative Bill No. 14, Fifty-third Session, Nebraska State Legislature, 1939, be amended to read as follows:

16-702. The mayor and council shall have power to levy and collect taxes for general purposes, and for all other municipal purposes, on all real estate and personal property within the corporate limits of the city taxable according to the laws of this state. All city taxes, both real and personal, except special assessments otherwise provided for, shall become due on the first day of December of each year. At the time provided for by law, the council shall cause to be certified to the county clerk the percentage or mills on the dollar of taxes levied for all purposes by them on the taxable property within the corporation for the year then ensuing, as shown by the assessment roll for such year, including all special assessments and taxes assessed as hereinbefore provided, and said clerk shall place the same on the proper tax list to be collected in the manner provided by law for the collection of state ond county taxes in the county where such city is situated, and in all sales for delinquent taxes for municipal purposes, if there be other delinquent taxes due from the same person or lien on the same property, the same shall be for all the delinquent taxes; and such sales and all sales made under and by virtue of this section or the provisions of law herein referred to shall be of the same validity, and in all respects be deemed and treated as though such sale had been made for the delinquent state and county taxes exclusively. The maximum amount which may be so certified, assessed and collected shall not exceed eighteen mills on the dollar of actual valuation of property within the municipality to defray its general incidental and all other municipal expenses, in addition to any special assessments or special taxes or amounts assessed as taxes under the provisions of this chapter, and such sum as may be authorized by law to be levied for the payment of outstanding bonds and debts: **Provided, that a further appropriation not to exceed one mill on the dollar of actual valuation of all the property within the city, may be levied, for the purpose of establishing the sinking fund or sinking funds authorized by Legislative Bill No. 207, Fifty-third Session, Nebraska State Legislature, 1939; and provided further,** nothing herein contained shall be construed to authorize an increase in the amounts of levies for any specific municipal purpose or purposes elsewhere limited by law, whether limited in specific sums or by mill levies: ~~Provided~~ ; **and provided further, that the above provisions of this section shall be subject to the provisions of Secs. 77-1963 and 77-1959, Comp. St. Supp., 1937, as amended by Legislative Bill No. 14, Fifty-third Session, Nebraska State Legislature, 1939; and provided further,** that a further appropriation not to exceed one-fourth mill upon the dollar of actual valuation of all the property within the city, may be levied, for the purpose of establishing a recreation fund to be used for the purchase, establishment, management, equipment and maintenance of playgrounds and recreation centers, including the construction of necessary buildings therefor, said fund to be disbursed under the direction and supervision of the local governing body of said city in conjunction with the local governing body of any other governmental subdivision wholly or partially within its corporate limits when a plan has been submitted and approved by the electors, as hereinafter provided; **and provided further,** that if the school district, situated wholly or partially within such city submits a plan and makes a levy for a similar purpose, said city shall not submit a plan or proposal for such a levy as long as said plan is in operation; **and provided further,** that no levy shall be made for such purposes unless the proposition to make such levy and the plan to dispose of such fund be sanctioned by sixty per cent or more of the legal voters of the city either by petition signed by them or by sixty per cent or more of the votes cast on the proposal submitted on the ballot at a general municipal election: **Provided,** that the above provisions of this section shall be subject to the provisions of Sections 1 and 2 of Legislative Bill No. 14, Fifty-third Session, Nebraska State Legislature, 1939.

Sec. 6. That said original Sec. 17-567, Comp. St. Supp., 1937, as amended by Section 21, Legislative Bill No. 14, Fifty-third Session, Nebraska State Legislature, 1939, be amended to read as follows:

17-567. The council or trustees of each city or village shall, at the time provided by law, cause to be certified to the county clerk the percentage or number of mills on the dollar of tax levied for all city or village purposes by them on the taxable property within the corporation for the year then ensuing, as shown by the assessment roll for said year including all special assessments and taxes assessed as hereinbefore provided, and the clerk shall place the same on the property tax lists, to be collected in the manner provided by law for the collection of state and county taxes in the county where such city or village is situated; and in all sales for any delinquent taxes for municipal purposes, if there be other delinquent taxes due from the same person, or lien on the same property, the sale shall be for all the delinquent taxes, and such sales, and all sales made under or by virtue of this section or the provisions of law herein referred to, shall be of the same validity, and in all respects be deemed and treated as though such sales had been made for the delinquent state and county taxes exclusively. The amount which may be so certified, assessed and collected shall not exceed five mills on the dollar of actual valuation of all taxable property within the corporate limits of such city or village to defray its general and its incidental expenses, together with any special assessments or special taxes, or amounts assessed as taxes under the provisions of this chapter, and such sum as may be authorized by law for the payment of outstanding bonds and debts: **Provided, that a further appropriation not to exceed one mill on the dollar of actual valuation of all the property within the city, may be levied, for the purpose of establishing the sinking fund or sinking funds authorized by Legislative Bill No. 207, Fifty-third Session, Nebraska State Legislature, 1939; and provided further, that the above provisions of this section shall be subject to the provisions of Secs. 77-1963 and 77-1959, Comp. St. Supp., 1937, as amended by Legislative Bill No. 14, Fifty-third Session, Nebraska State Legislature, 1939; and provided further,** when any such city or village has levied special assessments for part or all of the cost of any public work or improvement, which assessments have been finally held by the courts to be invalid and unenforceable, and if the defects rendering such assessments invalid and unenforceable are of such character that they cannot be remedied by reassessment, and if part of said special assessments have been paid under mistake of law or fact into such city or village prior to such final holding, the mayor and council or chairman and board of trustees shall appropriate an additional amount annually sufficient to refund and repay over a period of consecutive years such special assessments erroneously paid, without interest, to the person or persons entitled to receive same, any and all such assessments or parts thereof as may have been so paid in to the treasury of such city or village, as the case may be; **and, provided further,** that nothing herein contained shall authorize an additional annual levy for the purpose aforesaid beyond three mills on the dollar of actual valuation of all the taxable property within the corporate limits of such city or village in any one year; but said additional levy shall be continued only for as many years as may be necessary to raise the total amount required for such purpose. Such assessments shall be refunded out of the proceeds arising from the three mill special levy, as aforesaid, upon proper claims filed by persons entitled to reimbursement, and the same shall be audited, allowed and ordered paid, as other claims against such city or village, and all such reimbursements shall be made **pro rata,** if there is not sufficient money on hand to repay them all at one time. Such special three mill levy shall be included in the annual estimate and annual appropriation ordinance, as provided by law , Provided ; **and provided further,** that a further appropriation not to exceed one-fourth mill upon the dollar of actual valuation of all the property within the city, may be levied, for the purpose of establishing a recreation fund to be used for the purchase, establishment, management, equipment and maintenance of playgrounds and recreation centers, including the construction of necessary buildings therefor, said fund to be disbursed under the direction and supervision of the local governing body of said city in conjunction with the local governing body of any other governmental subdivision wholly or partially within its corporate limits when a plan has been submitted and approved by the electors, as hereinafter provided; **and provided further,** that if the school district, situated wholly or partially within such city, submits a plan and makes a levy for a similar purpose, said city shall not submit a plan or proposal for such a levy as long as said plan is in operation; **and provided further,** that no levy shall be made for such purposes unless the proposition to make such levy and the plan to dispose of such fund be sanctioned by sixty per cent or more of the legal voters of the city either by petition signed by them or by sixty per cent or more of the votes cast on the proposal submitted on the ballot at a general municipal election: **Provided,** that the above provisions of this section shall be subject to the provisions of Sections 1 and 2 of Legislative Bill No. 14, Fifty-third Session, Nebraska State Legislature, 1939.

Sec. 7. That said original Sec. 16-702, Comp. St. Supp., 1937, as amended by Section 5, Legislative Bill No. 14, Fifty-third Session, Nebraska State Legislature, 1939, is hereby repealed; and that said original Sec. 17-567, Comp. St. Supp., 1937, as amended by Section 21, Legislative Bill No. 14, Fifty-third Session, Nebraska State Legislature, 1939, is hereby repealed."

II. Amend the Standing Committee Amendments, mimeographed, March 21, 1939, page 6, Amendment 2, by striking all of said amendment commencing with the words "to amend" in line 25 down to and including the figures and punctuation "1937;" in line 28 therein and by inserting in lieu thereof the following:

"to amend Sec. 16-702, Comp. St. Supp., 1937, as amended by Section 5, Legislative Bill No. 14, Fifty-third Session, Nebraska State Legislature, 1939; to amend Sec. 17-567, Comp. St. Supp., 1937, as amended by Section 21, Legislative Bill No. 14, Fifty-third Session, Nebraska State Legislature, 1939; to repeal said original sections as amended; "

LEGISLATIVE BILL NO. 12. Placed on Select File with amendments.

E and R amendments to L. B. No. 12:

I. Amend the unofficial copy, mimeographed, dated May 8, 1939, with Standing Committee Amendments, page 1, Section 1, line 2, by striking the punctuation "," following the word "fuels".

II. Amend the unofficial copy, mimeographed, dated May 8, 1939, with Standing Committee Amendments, page 1, Section 1, by striking all of said section commencing with the abbreviation and punctuation "Secs." in line 11 therein and by inserting in lieu thereof the following:

"Sec. 66-405, Comp. St. Supp., 1937, as amended by Section 2, Legislative Bill No. 483, Fifty-third Session, Nebraska State Legislature, 1939, as amended by Section 1, Legislative Bill No. 235, Fifty-third Session, Nebraska State Legislature, 1939 and Sec. 66-416, Comp. St. Supp., 1937, as amended by Section 3, Legislative Bill No. 235, Fifty-third Session, Nebraska State Legislature, 1939, as the same now is or as hereafter amended, except that portion of the tax levied for social security."

III. Amend the bill (cited above) page 1, Section 2, line 2 by striking therefrom the following: ", on April 1, 1939, or".

IV. Amend the General File Amendments ,original, May 29, 1939, Amendment No. 2, Schultz, page 1, line 3, by inserting the punctuation "," before the word "stoves" therein.

V. Amend the unofficial copy, mimeographed (cited above) page 3, Section 4, line 1 by engrossing the words "tax exempt" as one hyphenated word "tax-exempt".

VI. Amend the General File Amendments, original, May 29, 1939, Amendment No. 4 (Mekota) by striking therefrom the last word "in" contained in the inserted language in line 4.

VII. Amend the unofficial copy, mimeographed (cited above) page 1, title, by striking all of said title after the word "ACT" therein and by inserting in lieu thereof the following:

"relating to motor vehicle fuels, containing ten per cent or more of Ethyl alcohol which has been processed in Nebraska from farm crops grown in the continental United States; to exempt from taxation except taxation for social security, the sale, distribution or use of said motor vehicle fuels containing Ethyl alcohol, as aforesaid, both for use and used in operating tractors, combines, stationary engines, pumps, machinery or motors, or both for use and used for any purpose other than operating or propelling motor vehicles on public roads, state highways, streets or alleys; to provide penalties for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL NO. 202. Placed on Select File with amendments.

E and R amendments to L. B. No. 202:

I. Amend the Standing Committee amendments, mimeographed, March 18, 1939, page 3, Section 5, lines 21 and 22 by striking therefrom the word **"approved"** therein and by inserting in lieu thereof the words **"upon approval"**.

II. Amend the bill (cited above) page 3, Section 5, line 26 by striking the punctuation **"."** therein and by inserting in lieu thereof the punctuation **":"**.

III. Amend the bill (cited above) page 2, Section 5, line 7 by striking the figures **"204"** therein and by inserting in lieu thereof the figures **"202"**.

IV. Amend General File Amendment adopted May 29, 1939, (Garber), Amendment No. 2, amending page 3, Section 5, line 10 of the mimeographed Standing Committee Amendments dated March 18, 1939, by striking all of said amendment and inserting in lieu thereof, the following:

"Amend the Standing Committee Amendments (mimeographed, March 18, 1939), page 3, Section 5, by striking all of the language commencing with the word "and" following the word "therefor," in line 10, down to and including the word and punctuation "Nebraska," in line 13."

V. Amend the General File amendments, adopted May 29, 1939 (Brodecky), Amendment No. 1, line 5, by inserting the word "the" after the word "upon" and before the word "payment".

(Signed) Craven, Chairman.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 8. Mr. Klaver moved the adoption of Legislative Resolution No. 8 as found in the Legislative Journal for the Twentieth Day.

Laid over one day.

Unanimous Consent Requested

Mr. Craven asked that unanimous consent be granted to instruct the Committee on Enrollment and Review to make the following amendments to L. B. No. 521:

Amend page 15, Section 41, line 15, by inserting before the word "as" the following: "the unexpended balance".

Strike the word "estimated" or "estimated," or ", estimated", the printed bill, in the following lines, respectively:

Page 2, Section 2, line 13; Section 3, lines 4 and 11; Section 5, line 5; Page 3, Section 6, lines 4 and 9; Section 7, lines 6, 9, 13, 17 and 21; Page 4, Section 9, lines 4, 7, 11 and 14; Page 5, Section 11, lines 4, 10, 12, 20 and 24; Page 5, Section 12, lines 3 and 6; Page 6, Section 13, lines 3, 6, 10 and 12; Page 6, Section 14, lines 5 and 10; Page 6, Section 15, lines 3 and 7; Page 7, Section 15, lines 12 and 16; Page 7, Section 16, lines 3 and 6; Section 17, line 5; Section 18, line 3; Page 8, Section 19, lines 8, 13 and 18; Section 20, lines 3 and 8; Page 9, Section 25, line 4; Page 10, Section 29, line 8; Section 31, line 12; Page 11, Section 32, lines 22 and 31; Page 12, Section 34, line 6; Section 35, line 6; Page 15, Section 40, line 5; Section 41, line 15.

On page 7, Section 15, lines 9 and 14, strike the word "first" before the word "reappropriate", in each of said lines respectively.

No objection was raised. So ordered.

MOTION—To Place on Select File

Mr. President: I move that L. B. No. 521 be recalled from the Committee on Enrollment and Review and placed on Select File for the following Specific amendment:

Amend by striking $41,100.00 and insert in lieu thereof "$63,000.00" in line 4, Sec. 9 of L. B. No. 521.

(Signed) Dunn

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL NO. 521. Mr. Dunn moved the adoption of the Specific amendment above set out.

The motion prevailed.

Referred to E and R for engrossment.

MOTION—Selected Bills

Mr. President: I move that we consider bills on General File until all of the forty-three selected bills are considered.

(Signed) Craven, Garber

The motion prevailed unanimously.

MOTION—To Make Special Order

Mr. President: I move that L. B. No. 148 be made Special Order of Business at 2:00 p. m. this afternoon. (Signed) Howard

The motion prevailed with 25 ayes, no nays, 18 not voting.

GENERAL FILE

LEGISLATIVE BILL NO. 427. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Fifty-eighth Day were adopted.

Mr. Gross offered the following amendment, which was adopted:

Amend the printed bill, page 4, Sec. 9, line 2, by inserting after the word and punctuation "violation," the word "in".

Mr. Rossiter presiding.

Mr. Brady moved to indefinitely postpone.

Mr. Sorrell presiding.

After discussion, Mr. Norman moved the previous question.

The motion prevailed with 30 ayes, no nays, 13 not voting.

The motion to indefinitely postpone was lost with 8 ayes, 24 nays, 11 not voting.

John Adams, Jr. offered the following amendment, which was adopted:

Amend L. B. No. 427 by striking Section 7 and renumbering the following sections.

Mr. Craven offered the following amendment, which was adopted:

Amend L. B. 427 by striking out all of lines 7, 8, and 9, Section 8, subsection 2 and insert therein in lieu thereof the following: Provided, that an employer may confer with employees during working hours at his election."

Referred to E and R for review.

MOTION—To Consider L. B. No. 92

Mr. President: I move that L. B. No. 92 be considered immediately following L. B. No. 148. (Signed) Herrick.

The motion prevailed with 30 ayes, no nays, 13 not voting.

Approved by the Governor

May 31st, 1939.

To the Members of the Legislature:

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your Honorable Body that he has this day approved the following bills:

L. B. No. 173
L. B. No. 174
L. B. No. 179
L. B. No. 331

Respectfully submitted,
(Signed) Otho K. De Vilbiss
Secretary to the Governor

June 1st, 1939.

To the Members of the Legislature:

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bills:

L. B. No. 104
L. B. No. 307

Respectfully submitted,
(Signed) Otho K. De Vilbiss
Secretary to the Governor

Opinion—Attorney General

A letter was read from the Attorney General, dated June 1, 1939, setting forth his opinion as to the constitutionality of L. B. No. 67.

GENERAL FILE

LEGISLATIVE BILL NO. 67. Mr. Gutoski offered the following amendments, which were adopted:

Amend the printed bill No. 67, page 2, Section 1, by striking the following beginning in line 1: "of the first class and metropolitan class in the State of Nebraska containing a population of five thousand or more inhabitants, there shall" and insert in lieu thereof, "or village in the State of Nebraska, there may be".

By striking the words beginning with "and that" in line 4, page 2, Section 1, down to and including the word "body." in line 13, page 2, Section 1.

Amend the printed bill No. 67 by striking all of Section 2 and renumbering the remainder of the sections accordingly.

Mr. Diers moved to strike the enacting clause.

The motion prevailed with 16 ayes, 14 nays, 13 not voting.

LETTER—From E and R Committee

The following letter was read:

"Office of

Committee on Enrollment and Review

June 1, 1939.

Senator Sam Klaver,
Senate Chamber,
State House,

Dear Senator:

Your attention is directed to your amendment to Section 50 of L. B. No. 521, appearing on page 1301 of the Journal. The figures $365,612.40 should be $252,000.00, which is 3% of your assistance fund allocation of $8,400,000.00. The figures "$8,034,387.60" appearing in the 15th line from the bottom of page 1301 should be $8,148,000.00. This represents the balance of the assistance allocation after the administration expense is deducted.

While it is perhaps true that L. B. No. 390 limits to 3% all administration costs and therefore the first erroneous figure may not be serious, yet it is definitely true that not more than the sum of $8,034,387.60 could be used for other purposes than administration unless the change is made to the correct figures.

Very truly yours,

(Signed) Francis V. Robinson,
For E and R Committee."

FVR:NvD

Unanimous consent was granted to correct L. B. No. 521 in accordance with the above statement.

Recess

At 11:50 a. m. Mr. Dunn moved to recess until 2:00 p. m.

The motion prevailed with 18 ayes, 8 nays, 17 not voting.

After Recess

The Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present except Mr. Brodecky and Mr. Reavis who were excused.

MOTION—To Refer to General File

Mr. President: I ask for unanimous consent to refer L. B. No. 427 to General File for the following Specific amendment:

Insert the words **"or ranch"** after the word "agriculture" and before the word "laborer" in line 19 on page 2 of Sec. 1 of the printed bill.

(Signed) Gantz

No objection was raised.

GENERAL FILE

LEGISLATIVE BILL NO. 427. Mr. Gantz moved the adoption of the Specific amendment above set out.

The motion prevailed.

Referred to E and R for review.

Special Order

LEGISLATIVE BILL NO. 148. The retyped bill, with the Standing Committee amendments as found in the Legislative Journal for the Sixty-sixth day embodied therein, was read and considered.

The Standing Committee amendments were adopted.

Mr. Howard offered the following amendments, which were adopted:

1. Amend the mimeographed bill, Section 1, line 11, by adding at the end of said section the following:

"Provided, however, that no undue burden shall be imposed upon interstate commerce, any such vehicle, registered under the laws of any other state and not registered in this state shall have the right, in lieu of the payment of the quarterly equalization fee, to pay an amount equal to 1 per cent of the annual equalization fee, which would be applicable hereunder to such vehicle if it were registered in this state, for each day that such motor vehicle is operated in this state; said payments to be made at the ports of entry when entering Nebraska."

2. Amend the printed bill, Section 3, Page 2, Line 2, by inserting after the word, "fees", the following: "and all sums collected through the Department of Agriculture at the ports of entry,"

3. And by adding to said Section 4, as amended by the Standing Committee amendment, at the end thereof, the following: "Said Department shall also design and provide means of identification for payments of the equalization fee for periods of less than one quarter."

Referred to E and R for review as amended.

MOTION—To Consider L. B. 92

Mr. President: I move that we consider L. B. No. 92 immediately. (Signed) Herrick.

The motion prevailed with 22 ayes, 4 nays, 17 not voting.

GENERAL FILE

LEGISLATIVE BILL NO. 92. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 409. Read and considered.

Mr. Garber offered the following amendment, which was adopted:

Amend Section 1, line 5 by striking the figures "$1.50" and inserting the words "$1.00 each or $1.50 for both" after the word fishing.

Mr. Mueller offered the following amendment, which was adopted:

Amend by adding Sec. 3 to read: This act shall be in full force and effect from and after January 1st 1940.

And amend the title to comply with Sec. 3.

Referred to E and R for review.

MOTION—To Reconsider Action

Mr. President: I move that the Legislature reconsider its action of this morning on L. B. No. 67. Gross

MOTION—To Table

Mr. President: I move that we table the motion of Mr. Gross. Garber

The motion to table prevailed.

MOTION—To Take Motion from Table

Mr. President: I move we take Mr. Gross' motion off the table. Adams, J. Jr.

The motion was lost with 14 ayes, 16 nays, 13 not voting.

MOTION—To Transmit to Secretary of State

Mr. President: I move that L. B. No. 517 be transmitted by the Clerk of the Legislature to the office of the Secretary of State. (Signed) Ernest A. Adams.

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL NO. 468. Mr. Tvrdik moved to indefinitely postpone.

A call of the House was ordered.

The call was raised.

The motion was lost with 15 ayes, 17 nays, 11 not voting.

The bill was read and considered.

Standing Committee amendments as found in the Legislative Journal for the Sixtieth Day were adopted.

Mr. Peterson offered the following amendment:

Mr. President: I move to amend L. B. No. 468 by striking Sec. 8 and substituting the following:

Sec. 5. The license of any licensee violating any of the provisions of this Act shall be suspended by the Nebraska Liquor Control Commission for the first violation for such a period of time as it may deem proper, and for the second violation of any of the provisions of this Act, the license of such licensee shall be revoked by the Nebraska Liquor Control Commission. The suspension or revocation of such a license by the Nebraska Liquor Control Commission shall be in accordance with the procedure provided in Chapter 53, C. S. Supp., 1937. In addition to the suspension or revocation herein provided for violation of any of the provisions of this Act, any licensee violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not to exceed $100.00, or shall be imprisoned in the County Jail for a term not to exceed 90 days, or both, within the discretion of the court.

After discussion Mr. Dunn moved the previous question.

The motion prevailed with 35 ayes, no nays, 8 not voting.

The Peterson amendment was adopted.

Unanimous consent was granted to renumber Sec. 9 to read Sec. 6.

Mr. Tvrdik moved to indefinitely postpone.

The Chair announced the motion carried.

Mr. Peterson appealed from the decision of the Chair.

On the question to sustain the decision of the Chair the vote was 20 ayes, 17 nays, 6 not voting.

The bill was indefinitely postponed.

LEGISLATIVE BILL NO. 350. Read and considered.

Mr. Howard offered the following amendments, which were adopted:

AMENDMENT 1: To strike all of Section 1 and all amendments thereto and insert in lieu thereof the following:

Section 1. That Sec. 39-1034, Comp. St. Supp. 1937 be amended to read as follows:

39-1034: (a) No vehicle shall exceed a length of thirty-five feet extreme over-all dimensions inclusive of front and rear bumpers, including load; (b) **A tractor and semi-trailer when combined shall not exceed a length of forty-two feet extreme over-all dimensions inclusive**

of front and rear bumpers, including load; (c) Combination of vehicles, **including straight trucks and full trailers,** shall consist of not more than two ~~units~~ **vehicles,** and when so combined shall not exceed a total length of forty-five feet **inclusive of front and rear bumpers and including load.** (d) ~~The truck, trailer and semi-trailer, shall be construed to be one vehicle for the purpose of determining lengths and registration.~~ **A truck shall be construed to be one vehicle for the purpose of determining lengths;** (e) **A trailer shall be construed to be one vehicle for the purpose of determining lengths;** (f) **A truck, a tractor and semi-trailer, or a trailer shall be construed to be one vehicle for the purpose of registration.**

~~The above restrictions as to length shall not apply to any vehicle or combination of vehicles, as above defined, if such vehicle or combination of vehicles does not exceed forty-five feet in total length and if such vehicle or combination of vehicles were in operation and were duly registered on January 1, 1932, and provided further, that such privilege shall be granted only until January 1, 1935.~~ The above provisions of **(a), (b), (c), (d), (e) of this section** shall not apply to the temporary moving of farm machinery, to road contraction machinery, to towing for repair vehicles that have been disabled upon the highway, or to vehicles transporting construction material which of necessity must be handled upon the highways; Provided, the Department of Roads and Irrigation may issue a special permit in writing for a period not to exceed ten days for the moving over the highways of the state, vehicles, combination of vehicles, or other objects which must of necessity be moved over the highways to reach their intended destinations, said vehicles or objects exceeding the limitations provided herein and provided in any other statute of this state relating to height, width, length and weight. The Department of Roads and Irrigation may impose such conditions and regulations for each such permit as may be necessary.

AMENDMENT 2: To strike all of Section 2 and all amendments thereto and insert in lieu thereof the following:

Section 2. That Sec. 39-1035, Comp. St. Supp., 1937, be amended to read as follows:

39-1035: (a) The wheels of all vehicles including trailers except those operated at 20 miles per hour or less shall be equipped with pneumatic tires. (b) No wheel equipped with pneumatic, solid rubber or cushion tires shall carry a gross load in excess of 8,000 lbs., nor shall any axle carry a gross load in excess of 16,000 lbs., nor shall any truck and load weigh in excess of 32,000 lbs., nor shall any tractor and semi-trailer and load weigh in excess of ~~32,000~~ **40,000** lbs., nor shall any trailer and load weigh in excess of 16,000 lbs., nor shall any combination of vehicles, including weight and load, weigh in excess of 48,000 lbs. (c) These limitations shall apply to all main, rural and inter-city roads, but shall not be construed as inhibiting heavier axle loads in metropolitan areas if such loads are not prohibited by city ordinance. (d) These weights for wheel and axle loads may be restricted by the Department of Public Works for a reasonable period where road subgrades are materially weakened from thawing after deep frost or from a continued saturated condition of the soil: Provided, further, that if any truck shall cross a bridge with a total gross load in excess of the posted capacity of said bridge, and as a result of such crossing, damage results to the bridge, in any way, the owner of such truck shall be responsible for all of such damage.

AMENDMENT 3: Instruct the Committee of Enrollment and Review to correct the title so as to make it correspond and correctly include the above amendments.

The Standing Committee amendments were not considered.

Mr. Ashmore presiding.

Mr. Garber moved to strike the enacting clause.

After discussion Mr. Miller moved the previous question.

The motion prevailed with 37 ayes, no nays, 6 not voting.

Record vote was requested on the Garber motion.

Voting in the affirmative, 11:

Adams, J. Jr.
Carlson
Diers
Gantz
Garber
Mischke
Norman
Peterson
Reed
Tvrdik
Westley

Voting in the negative, 18:

Brady
Craven
Doyle
Dunn
Gross
Gutoski
Hall
Hastings
Herrick
Johnson
Johnston
Lambert
Miller
Mueller
Neubauer
Rossiter
Sorrell
Thornton

Not voting, 14:

Adams, E. A.
Ashmore
Brodecky
Callan
Carsten
Howard
Klaver
Mekota
Murphy
Reavis
Schultz
Thomas
Van Diest
Von Seggern

The motion was lost.

Mr. Dunn moved to refer to E and R for review.

The motion prevailed with 18 ayes, 9 nays, 16 not voting.

President Johnson presiding.

LEGISLATIVE BILL NO. 206. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Sixty-third Day were adopted.

Referred to E and R for review.

Recess

At 5:15 p. m. on motion by Mr. Gantz the Legislature recessed until 8:00 p. m.

After Recess

The Legislature reconvened at 8:00 p. m. President Johnson presiding.

The roll was called and all members were present except Mr. Mischke, and except Mr. Carsten, Mr. Norman and Mr. Reavis who were excused.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 212. Placed on Select File with amendments.

E and R amendments to L. B. No. 212:

I. Amend the unofficial copy, mimeographed, **May 6, 1939,** page 1, Section 1, lines 6 and 7 and page 2, Section 1, lines 9 and 10 by striking the definite article "the" before the word "University" wherever the same appears in each of said lines respectively and insert in lieu thereof the word "The"; and also insert the punctuation "," after the word "Nebraska" and before the word "College" in each of said lines respectively.

II. Amend the bill (cited above) Section 4, page 3, by engrossing all dollar signs and figures after all dollar signs in lower case words, and also engross "25%" and all other references to per cent in lower case words therein.

III. Amend the bill (cited above) page 4, Section 9, line 1, by engrossing the hyphenated word "sub-section" as one word.

IV. Amend the bill (cited above) page 2, Section 2, line 8, by striking therefrom the words "of the Farm Bureau".

V. Amend the bill (cited above) page 3, Section 4, line 22 by striking therefrom "17,000 and more than"; and in line 23 of said section strike the figures "10,000" and insert in lieu thereof the following: "seventeen thousand and more than ten thousand".

VI. Amend the bill (cited above) page 4, Section 7, line 4 by striking the word "Boards" therein, and in line 5 of said section insert the conjunction "and" after the syllable "cerned" and before the verb "shall" therein.

VII. Engross from the pica mimeographed copy, as cited above but compare with the elite mimeographed copy attached to the bill (no additional copies available) and reconcile both pica and elite mimeographed copies as to form and substance pursuant to these amendments.

VIII. Wherever the word "act" appears either in the pica or elite mimeographed copies, engross said word in caps and lower case; and wherever the words "County Agricultural Extension Work", "General Fund", "Extension Work", "Director of Extension Service", "Board of Directors", "County Clerk", "County Board", "County Board of Commissioners or Supervisors", "Extension", "President" and "Secretary" appear throughout the text of said bill, engross each of said words or expressions in lower case.

LEGISLATIVE BILL NO. 374. Placed on Select File with amendments.

E and R amendments to L. B. No. 374:

I. Amend the Standing Committee Amendments, original, March 27, 1939, page 3, Section 3, line 7, by striking the figure "4" therein and by inserting in lieu thereof the word **"four"**.

II. Amend the Standing Committee Amendments, original, March 27, 1939, Page 1, Section 1, line 6, by underscoring the punctuation "," after the word "plant" and before the word "either".

III. Amend the Standing Committee Amendments, original, March 27, 1939, page 1, Section 1, line 17, by striking the word "therefore" immediately following the word "charged" and by inserting in lieu thereof the word **"therefor"**.

Correctly Engrossed

L. B. No. 523
L. B. No. 522
L. B. No. 372
L. B. No. 352
L. B. No. 205

(Signed) Craven, Chairman

GENERAL FILE

LEGISLATIVE BILL NO. 296. Read and considered.

Mr. Gantz offered the following amendment, which was adopted:

Amend L. B. 296 by striking the punctuation (:) in line 4 of Section 1 and inserting the punctuation (;) in lieu thereof; and by inserting the words ", and upon approval by a majority of the electors of said city voting on such proposition." after the word "purpose" in line 7 of said section.

Mr. Hall moved to refer to E and R for review.

Mr. Mueller moved to indefinitely postpone.

The vote on the motion was 13 ayes, 13 nays, 17 not voting.

The President exercised his privilege, voted nay and the motion was lost.

Vote was taken on Mr. Hall's motion and the bill was referred to E and R for review with 17 ayes, 12 nays, 14 not voting.

LEGISLATIVE BILL NO. 336. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Sixty-third Day were adopted.

Mr. Garber offered the following amendment, which was adopted:

Strike "fifty-one" in Section 2, line 1, and insert "sixty".

Referred to E and R for review.

LEGISLATIVE BILL NO. 441. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL NO. 120. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Sixty-fifth Day were adopted.

Referred to E and R for review.

LEGISLATIVE BILL NO. 224. Read and considered.

Mr. Howard offered the following amendments, which were adopted:

Amend printed bill, Sec. 2, line 3, strike the word "The" and insert in lieu thereof "On and after January 1, 1940 the".

Amend line 7, title, after the word "vehicles" insert "on and after January 1, 1940".

Add the name of L. B. Murphy of Scotts Bluff as an introducer.

Referred to E and R for review.

LEGISLATIVE BILL NO. 392. Read and considered.

Standing Committee amendments as found in the Legislative Journal for the Seventy-seventh Day were adopted.

Mr. Mueller offered the following amendments, which were adopted:

1. Amend the original bill, pages 1 and 2, (the printed bill pages 1 and 2) by striking all of Sections 1 and 2 thereon and by inserting in lieu thereof the following:

"Section 1. That Sec. 71-209, Comp. St. Supp., 1937, be amended to read as follows:

71-209. The different licenses to practice a profession shall expire on the first day of the several months as hereinafter indicated and shall be renewed annually upon request of the licensee without examination. The annual expiration date in the different professions shall be as follows: January, pharmacy; February, embalming; March, dentistry; April, chiropody and veterinary medicine and surgery; August, chiropractic and optometry; September, osteopathy; October, medicine and surgery. The request for renewal need not be in any particular form and shall be accompanied by the legal fee. Such fee shall be paid not later than the date of the expiration of such license.

At least thirty days before the expiration of his license the ~~Department~~ **department** shall notify each licensee by letter addressed to his last place of residence as noted upon ~~its~~ **the** records. Any licensee who fails to pay on or before the date of expiration of his license shall be given a second notice advising him of his failure to pay and that his license on that account has expired and that the ~~Department~~ **department** will suspend action for thirty days following the date of expiration and that upon the receipt of the annual renewal fee together with an additional fee of one dollar within that time no order of revocation will be entered; but that upon the failure to receive the amount then due, including one dollar in addition to the regular renewal fee, an order of revocation will be entered: **Provided, however,** any licensee who allows his license to lapse by failing to renew the same as herein provided may be reinstated upon recommendation of the ~~Examining Board~~ **examining board** for his profession and upon payment of the re-

newal fees then due ;and provided further, that the request for renewal of his license by an osteopathic physician, who is engaged in active practice in Nebraska, shall be accompanied by satisfactory evidence that he has attended at least two days of the annual educational program as conducted by the Nebraska State Osteopathic Association, or its equivalent, in the year preceding each such application for renewal; and provided further that any such osteopathic physician who allows his license to lapse by failing to furnish such satisfactory evidence shall be reinstated upon recommendation of the examining board for his profession and upon compliance with the other provisions of this Act.

Sec. 2. That said original Sec. 71-209, Comp. St. Supp., 1937, is hereby repealed."

Mr. Dunn moved to indefinitely postpone.

The motion prevailed with 13 ayes, 10 nays, 20 not voting.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 427. Placed on Select File with amendments.

E and R amendments to L. B. No. 427:

I. Amend the original bill, pages 1 to 6 inclusive, (the printed bill, pages 1 to 5, inclusive) by striking all of Sections 1 to 11 thereon and by inserting in lieu thereof the following:

"Section 1. When used in this Act, to read as follows: (1) The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers. (2) The term "employer" includes any person acting in the interest of an employer, directly or indirectly, but shall not include the United States, the state of Nebraska, or any political subdivision thereof, or any person subject to the Railway Labor Act, or any person subject to the jurisdiction of the National Labor Relations Board, or any labor organization (other than when acting as an employer), or anyone acting in the capacity of officer or agent of such labor organization, or any duly licensed attorney at law acting for and in behalf of such employer in any matter which has, or is contemplated to, result in litigation. (3) The term "employee" shall include any employee, and shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute, or because of any unfair labor practice, and who has not obtained any other regular or substantially equivalent employment, but shall not include any individual employed as an agricultural or ranch laborer, or in the domestic service of any family or person at his home, or any individual employed by his parent or spouse. (4) The term "employee representative" means any bona fide labor organization having in its membership a majority of the employees, of any employer, following the same trade or occupation. (5) The term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work. (6) The term "unfair labor practice" means any unfair labor practice as described in Section 7 of this Act. (7) The term "labor dispute" includes any controversy concerning terms, tenure or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

Sec. 2. Employees shall have the right of self-organization, and, of their own free will to form, join or assist labor organizations, to bargain collectively through representatives of their own voluntary choosing, and to engage in lawful activities for the purpose of collective bargaining or other mutual aid or protection, free from coercion from any source whatsoever.

Sec. 3. When any employee, or groups of employees, shall feel aggrieved, or shall desire to bargain collectively with any employer, by or through an employee representative, notice thereof, together with written specifications of the grievance or proposals of the employees, shall be served upon the employer. Such notice shall fix a time for meeting with the employer, at his place of business, not less than three days from date of service thereof. It shall be the duty of the employee represenetative and the employer to meet at the time and place specified in the notice, and to make a bona fide attempt to equitably settle the grievances of the employees: **Provided,** that if a settlement is not agreed to, then and in that event the employer shall receive the written proposals of the employee representative and make return thereof in writing to the employee representative within ten days, at which time the employer shall submit counter proposals as a part of said return; **and provided further,** that either party may, at any time within ten days thereafter, require the other party to meet with him in a good faith attempt to agree upon a settlement of said proposals; **and provided further,** that all agreements made under the provision of this section shall be reduced to writing and shall be binding upon all of the parties thereto, and may be enforced as civil contracts in the courts of the state of Nebraska.

Sec. 4. All controversies, which are the subject of collective bargaining, within the meaning of the preceding section of this Act, may be submitted to the decision of arbitrators, as hereinafter provided, upon the written demand of either the employer or the employee representative, served upon the commissioner of labor for the Department of Labor, hereinafter called "commissioner", at his office in Lincoln, Nebraska, within ten days after a disagreement has been reached.

Sec. 5. The party demanding arbitration, shall, in the notice thereof, name one arbitrator, and shall forthwith transmit to the commissioner true copies of the written specifications of the grievances and proposals, counter proposals and amended proposals, all duly certified to by a notary public. Upon receipt of such demand it shall be the duty of the commissioner to request the other party in behalf of the state of Nebraska, to submit such dispute to arbitrators; said party shall, within five days thereafter, accept or reject said offer to arbitrate. Upon acceptance, the other party shall submit to the commissioner the name of an arbitrator. The arbitrator named by the employer, and the arbitrator named by employee representative, and the third arbitrator to be selected by them, shall constitute a board of arbitration. In the event that the two arbitrators are unable to agree upon a third arbitrator then the governor shall appoint a disinterested party to serve as the third member of said board of arbitration: **Provided,** said member selected by the governor shall be a resident of the state of Nebraska and shall act as the chairman of said board of arbitration. Said board of arbitration shall meet at the call of the commissioner, within ten days, in the county in which the controversy originated, and shall proceed to hear and determine the issues as are set forth in said proposals and counter proposals, and make findings of fact and an award. The findings and award of said board of arbitrators shall be reduced to writing and be filed in the office of the commissioner, and all such findings, orders or awards of said board of arbitration shall be binding upon all parties in interest unless reversed or modified upon appeal as hereinafter provided. An appeal may be taken from any such finding, order or award of said board of arbitration by means of the same procedure employed in the taking of appeals from final orders of the state railway commission as provided in Article 5, Chapter 75, Compiled Statutes of Nebraska, 1929, as amended.

Sec. 6. Whenever a question affecting collective bargaining or arbitration arises, concerning the representation of employees, the commissioner shall investigate such controversy and shall certify to the parties, in writing, the name or names of the employee representatives proper to represent the employees in said controversy.

Sec. 7. It shall be unlawful for any employer to do any of the following acts, which are hereby declared to be unfair labor practices:

(1) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in Sections 2, 3, 4, and 5 of this Act. (2) To dominate or interfere with the formation or administration of any labor organization or contribute financial or other support to it: **Provided,** that an employer may confer with employees during working hours at his election. (3) By discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization: **Provided,** that nothing in this Act shall preclude an employer from making an agreement with a labor organization (not established, maintained, or assisted by an action defined in this Act as unlawful) to require as a condition of employment membership therein, if such labor organization is the representative of the employees of such employer. (4) To discharge or otherwise discriminate against an employee because he has filed charges or given testimony under this Act.

Sec. 8. Any employer who violates the provisions of Section 2 of this Act shall be liable to any employee who might be aggrieved by such violation, in an amount equal to any salary or wages that might be lost, together with a reasonable amount for attorney's fees, to be determined by the court.

Sec. 9. Any person who shall knowingly fail or refuse to comply with the provisions of this Act shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than ten dollars nor more than two hundred dollars.

Sec. 10. When it shall appear by the petition of the plaintiff that any employer, employee, or employee representative is violating any of the provisions of this Act, or any contract, or any award of arbitrators, duly made under the provisions of this Act, an injunction may be granted to restrain such Act, or a mandamus shall be granted to compel compliance with the provisions of this Act, or any contracts or awards made thereunder, in the manner prescribed in Chapter 20, Compiled Statutes of Nebraska, 1929, as amended, for relief by injunction and writ of mandamus."

LEGISLATIVE BILL NO. 86. Correctly engrossed.
(Signed) Craven, Chairman

MOTION—To Indefinitely Postpone

Mr. President: I move that all bills on General File be indefinitely postponed. (Signed) Murphy

Record vote was requested.

Voting in the affirmative, 22:

Adams, E. A.
Ashmore
Brady
Brodecky
Carlson
Gantz
Garber
Gross
Hastings
Howard
Johnson
Johnston
Klaver
Miller
Murphy
Neubauer
Peterson
Rossiter
Schultz
Thomas
Thornton
Von Seggern

Voting in the negative, 12:

Adams, J. Jr.
Craven
Diers
Doyle
Dunn
Gutoski
Hall
Herrick
Mekota
Sorrell
Tvrdik
Van Diest

Not voting, 9:

Callan
Carsten
Lambert
Mischke
Mueller
Norman
Reavis
Reed
Westley

The motion prevailed.

MOTION—To Indefinitely Postpone

Mr. President: I move that all bills in standing committees, except Enrollment and Review, be indefinitely postponed.

(Signed) Schultz

The motion prevailed with 28 ayes, 5 nays, 10 not voting.

Unanimous Consent Granted

Mr. President: I ask that unanimous consent be granted to amend the General File amendments found page 1299 Journal, One-hundred fifth day, May 31, 1939, relating to L. B. 521 by inserting after the word "said" and before the word "fund" in amendment R "Stock Brand" and in amendment S insert following the word "said" and before the word "fund" the following "Real Estate Commisioner's" and instruct the E and R Committee to engross the bill accordingly.

(Signed) Brady

No objection was made. Consent granted.

Adjournment

At 10:35 p. m. on motion by Mr. Diers the Legislature adjourned.

Hugo F. Srb,
Clerk of the Legislature

ONE-HUNDRED SEVENTH DAY

Legislative Chamber,
Lincoln, Nebraska, June 2, 1939.

The Legislature met at 9:00 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except John Adams, Jr. and Mr. Reavis who were excused.

The Journal for the One-hundred Sixth Day was approved as corrected.

Request to Consider Select File

Mr. Craven requested that Select File be considered first, in order to expedite the work of his committee.

SELECT FILE

LEGISLATIVE BILL NO. 1. Mr. Hall moved that the bill be passed over until the Legislature receive an opinion from the Attorney General on the bill as amended.

A call of the House was ordered.

The call was raised.

Record vote was requested.

Voting in the affirmative, 18:

Ashmore
Dunn
Gantz
Gutoski
Hall
Howard
Klaver
Lambert
Miller
Mischke
Murphy
Norman
Peterson
Schultz
Thomas
Thornton
Tvrdik
Van Diest

Voting in the negative, 20:

Adams, E. A.
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Garber
Gross
Hastings
Herrick
Johnston
Mekota
Mueller
Neubauer
Reed
Rossiter
Sorrell
Von Seggern
Westley

Not voting, 5:

Adams, J. Jr.
Brady
Craven
Johnson
Reavis

The motion was lost.

Mr. Sorrell moved to refer to E and R for engrossment.

E and R amendments as found in the Legislative Journal for the One-hundred Sixth Day were adopted.

Record vote was requested on Mr. Sorrell's motion.

Voting in the affirmative, 21:

Adams, E. A.
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Garber
Gross
Hastings
Herrick
Johnson
Johnston
Mekota
Miller
Mueller
Neubauer
Reed
Sorrell
Von Seggern
Westley

Voting in the negative, 10:

Ashmore
Gutoski
Howard
Klaver
Lambert
Murphy
Peterson
Rossiter
Schultz
Thomas

Not voting, 12:

Adams, J. Jr.
Brady
Craven
Dunn
Gantz
Hall
Mischke
Norman
Reavis
Thornton
Tvrdik
Van Diest

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 231. Passed over.

LEGISLATIVE BILL NO. 207. E and R amendments as found in the Legislative Journal for the One-hundred Sixth Day were adopted.

Mr. Mekota offered the following amendments, which were adopted by unanimous consent:

Strike the words "or special election" in the 5th line of Sec. 4, Page 3 (mimeographed Standing Committee amendments).

Insert the word "of" before the word "officers" in the 7th line from the bottom of Sec. 3.

Strike the words "city or village hall" immediately before the word "municipal" in the 2nd committee amendment, line 14.

Referred to E and R for engrossment.

Member Excused

Mr. Howard was excused on account of illness.

SELECT FILE

LEGISLATIVE BILL NO. 12. E and R amendments as found in the Legislative Journal for the One-hundred Sixth Day were adopted.

Mr. Thomas moved to refer to General File for the following Specific amendments:

1. Amend the bill, unofficial copy mimeographed, with Standing Committee Amendments, prepared pursuant to motion, May 8, 1939, page 4, by inserting immediately after Section 5, line 15 thereon, new sections to be known and numbered as follows:

"Sec. 6. That Sec. 3-215, Comp. St. Supp., 1937, be amended to read as follows:

3-215. There is hereby imposed a tax of four cents **one cent** per gallon upon fuels purchased for and used in aircraft within the State **state** of Nebraska, the same to be levied, collected and remitted in the manner provided in Article 4, Chapter 66, of the Compiled Statutes of Nebraska, 1929, and Article 4, Chapter 66, C. S. Supp., 1933, and subsequent amendments and additions thereto **Comp. St. Supp., 1937, as now existing or as hereafter amended,** in reference to other motor fuels, save and except that the State Treasurer **state treasurer** shall place the aircraft tax so collected and remitted to him in the special fund to be known as the **Aviation Fund.** Such fund, upon filing of proper vouchers, shall be disbursed as other moneys in the State Treasury **state treasury** by the Nebraska Aeronautics Commission, for the purposes set forth in this Act. The dealers defined in said Article 4, Chapter 66, and subsequent amendments and additions thereto **cited above, as now**

existing or as hereafter amended, shall collect said ~~four cents~~ **one cent** tax and keep an account thereof separately from other fuel tax and remit the same accordingly to the ~~State Treasurer~~ **state treasurer.** No other or different tax shall be imposed for fuel bought for and used in aircraft excepting the said ~~four cents~~ **one cent** per gallon tax as herein set forth, and the use thereof shall be for the purposes set forth in this Act. The penalty for the violation of the terms hereof in reference to the collection and remittance of the tax shall be the same as set forth for the violation of the law in reference to the motor fuel tax contained in said Article 4, Chapter 66, Compiled Statutes of Nebraska, 1929, **and** Article 4, Chapter 66, ~~C. S. Supp., 1933, and subsequent amendments and additions thereto~~ **Comp. St. Supp., 1937, as now existing or as hereafter amended,** and the right of enforcement and the penalties shall be likewise applicable as set forth therein: **Provided,** that during the emergency period, as set forth in ~~House Roll No. 675, Fiftieth Session, Nebraska State Legislature~~ **Legislative Bill No. 235, Fifty-third Session, Nebraska State Legislature, 1939,** the additional tax of one cent per gallon upon the sale, distribution, importation, manufacture and use of motor vehicle fuels, as imposed by ~~Senate File No. 363, Fiftieth Session, Nebraska State Legislature~~ **said Legislative Bill No. 235, supra,** shall be paid by importers of aircraft fuel, as defined in ~~Section 15 (3-215) of this Act~~ **this section,** and shall be collected by the Department of Agriculture and Inspection throughout said emergency period in the same manner as said additional one cent tax is collected on motor vehicle fuels.

Sec. 7. That said original Sec. 3-215, Comp. St. Supp., 1937, is hereby repealed.

Sec. 8. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of this Act and the application of such provision to other persons or circumstances shall not be affected thereby."

2. Amend the unofficial copy (cited above) page 4, by renumbering Section 6 thereon to conform with the foregoing amendment.

3. Amend the unofficial copy (cited above) page 1, Section 1, line 8, by inserting after the word "aircraft" therein the following:

"as provided in Section 6 of this Act".

4. Amend the unofficial copy (cited above) page 1, title, line 6, by inserting after the word and punctuation "motors," therein the following:

"or for propelling aircraft,".

5. Amend the unofficial copy (cited above) page 1, title, line 8, by inserting after the word and punctuation "alleys;" therein the following:

"to amend Sec. 3-215, Comp. St. Supp., 1937; to repeal said original section; to provide a validity clause;".

After discussion Mr. Miller moved the previous question.

The motion prevailed with 32 ayes, no nays, 11 not voting.

Vote was taken on Mr. Thomas motion to return to General File.

Record vote was requested.

Voting in the affirmative, 8:

Brady
Dunn
Gutoski
Norman
Peterson
Reed
Thomas
Tvrdik

Voting in the negative, 20:

Ashmore
Brodecky
Carsten
Callan
Doyle
Gantz
Garber
Gross
Hastings
Herrick
Johnson
Johnston
Klaver
Miller
Mueller
Neubauer
Sorrell
Van Diest
Von Seggern
Westley

Not voting, 15:

Adams, E. A.
Adams, J. Jr.
Carlson
Craven
Diers
Hall
Howard
Lambert
Mekota
Mischke
Murphy
Reavis
Rossiter
Schultz
Thornton

The motion was lost.

Mr. Neubauer moved to refer to E and R for engrossment.

The motion prevailed with 21 ayes, 9 nays, 13 not voting.

Request to Consider Bills on Third Reading

Mr. Craven requested that bills on Third Reading be considered. So ordered.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 447. (With emergency clause)

A bill for an Act to amend Secs. 48-702, 48-703 (a) (b) (c) and (d), 48-704, 48-705, 48-707 (c), (d) and (e), 48-708 (b) 48-709, 48-711 (d) and (k), 48-605 (e), 48-712 (a), 48-713, 48-710 and 48-717, Comp. St. Supp., 1937, relating to labor, unemployment compensation, and the employment of labor and free employment services, to redefine "base period"; "benefit year"; and "week"; to define "unemployment" and "insured work"; to exempt railroad employment from the definition of employment; to provide for elimination of railroad workers from benefits after July 1, 1939; to define the weekly benefit amount and the benefit for unemployment; to provide for the manner of determination of full time weekly wage and duration of benefits; to prescribe benefit eligibility conditions; to prescribe the manner in which benefits shall be charged to an employer's account; to change the date for filing request for termination of coverage; to provide for crediting a portion of contributions to the pooled account under certain circumstances; to provide for transfer of funds to the Railroad Unemployment Insurance Account; to provide for agreements with the Railroad Retirement Board for services provided by the State Employment Service; to provide for the inclusion of moneys received from the Railroad Retirement Board in the Unemployment Compensation Administration Fund; to provide alternative methods of collecting past due contributions; to provide for administrative determination of contributions due in certain cases; to provide that the Commissioners shall have a lien for unpaid contributions; to prescribe procedure for the collection of such liens; to provide for reciprocal arrangements with the appropriate agencies of the State and Federal Governments for the transfer of credits in certain cases; to provide for the transition from the former law to the law as amended; to fix the compensation of the commissioner for services rendered with respect to the administration of the Unemployment Compensation Law; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.
Brady
Brodecky
Callan
Carlson
Carsten
Diers
Gross
Gutoski
Hastings
Herrick
Hall
Johnson
Johnston
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest

Doyle
Dunn
Gantz
Klaver
Lambert
Peterson
Reed
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 6:

Adams, J. Jr.
Ashmore
Craven
Garber
Howard
Reavis

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause attached and the title agreed to.

Recess

At 12:27 p. m. on motion by Mr. Diers the Legislature recessed until 2:30 p. m.

After Recess

The Legislature reconvened at 2:30 p. m. President Johnson presiding.

The roll was called and all members were present except Messrs. John Adams, Jr., Howard, Lambert, Miller and Reavis.

Approved by the Governor

June 1st, 1939.

To the Members of the Legislature:

Gentlemen:

I have been directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bills:

L. B. No. 491
L. B. No. 76

Respectfully submitted,

(Signed) Otho K. De Vilbiss
Secretary to the Governor

June 2nd, 1939

To the Members of the Legislature:

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bill:

L. B. No. 315

Respectfully submitted,
(Signed) Otho K. De Vilbiss
Secretary to the Governor

STANDING COMMITTEE REPORTS

Legislative Administration

May Expenditures

Fund E-2			$37,500.13
Members' Salaries (None)			
Balance in Fund E-2			37,500.13
Funds E-3, E-4, E-5		$ 273.86	
Appropriation—L. B. 516		18,000.00	
			$18,273.86
Officers' and Employees' Salary,			
April 16th to April 30th, inc., E-4,	$3,538.25		
May 1st to May 15th, inc., E-4	3,223.00		
May 16th to May 31st, inc., E-4	3,905.25		
Legislative Reference Bureau, E-4,	537.75		
		$11,204.25	
Postage, E-5		550.00	
Printing, Office and Janitor Supplies, E-5		381.47	
Printing Legislative Daily Journals, E-5, (Partial Payment)		1,229.56	
Printing Legislative Bills, E-5, (Partial Payment)		3,211.12	
(Members visiting State Institutions)			
Transportation—E-5		3.00	
Lodging and Meals—E-5		13.65	
Total			$16,593.05
Balance in Funds, E-3, E-4, E-5			$ 1,680.81

Fund No. 8		$ 600.00
Clerk of Legislature Salary	$ 300.00	
Total		300.00
Balance in Fund No. 8		$ 300.00

NEW EMPLOYEES—	Rate
Francis V. Robinson, Asst. Atty. (Enrollment & Review)	$20.00 per day
Jo. M. Fisher, Stenographer	$ 4.00

(Signed) Carsten, Chairman

By unanimous consent the Clerk dispensed with reading the report, for the reason that it appears in the Journal in detail.

Speaker Diers presiding.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 8. Permitting Pedersen et al to sue the state of Nebraska

Mr. Klaver moved that the resolution be adopted.

The motion prevailed.

LEGISLATIVE RESOLUTION NO. 39. Introduced by Neubauer of Harlan, Carlson of Phelps, Van Diest of Loup, Brodecky of Colfax, Mischke of Knox, Westley of Butler, Johnston of Hall, Hastings of Polk, Doyle of Greeley.

Memorializing the Honorable F. F. Hill, Governor of the Farm Credit Administration, to Defer Payments of Principal and Interest on Defaulted Federal Land Bank and Land Bank Commissioner Loans to Deserving Farmers of the State of Nebraska

Preamble

WHEREAS, the state of Nebraska has been visited by five successive years of devastating drouths, and

WHEREAS, the crops of the state of Nebraska have been ravaged for a number of years by grasshoppers, and

WHEREAS, it is now evident that irreparable damage has already been done this year to the small grain crop, by insufficient moisture and grasshoppers, and

WHEREAS, the small grain crop is the first cash crop for the farmers of the state of Nebraska, and

WHEREAS, due to these ravages of nature, the purchasing power of the farmers of the state of Nebraska is the lowest of any other state in the United States, as shown by recent reports of the Department of Agriculture of the United States, NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That the Nebraska Unicameral Legislature respectfully calls these matters to the attention of the Honorable F. F. Hill, Governor of the Farm Credit Administration, and respectfully requests that payments of principal and interest on defaulted Federal land Bank and Land Bank Commissioner loans be deferred as to deserving farmers of the state of Nebraska until another crop can be harvested and marketed.

2. That this resolution be spread at large upon the Journal of this Legislature, and that the Clerk of this Legislature is hereby ordered and directed forthwith to forward a copy of this resolution, properly authenticated and suitably engrossed, to the Honorable F. F. Hill, Governor of the Farm Credit Administration, to the President of the United States, to the Vice President of the United States as presiding officer of the United States Senate, to the Speaker of the House of Representatives of the United States; and to each of the United States Senators and Congressmen representing the state of Nebraska in the Congress to the end that representatives in the government and in the Congress of the United States will be advised that this Legislature considers as imperative the deferment of defaulted Federal Land Bank and Land Bank Commissioner loans to deserving farmers of the state of Nebraska.

The resolution was laid over one day.

SELECT FILE

LEGISLATIVE BILL NO. 231. Mr. Mischke offered the following amendment, which was adopted by unanimous consent.

Amend L. B. No. 231 as follows: Insert the words "United States" after the word "of" and before the word "governmental" in the last line of the amendment on page 1283 of the Legislative Journal.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 202. E. and R amendments as found in the Legislative Journal for the One-hundred Sixth Day were adopted

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 212. E and R amendments as found in the Legislative Journal for the One-hundred Sixth Day were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 374. E and R amendments as found in the Legislative Journal for the One-hundred Sixth Day were adopted.

Laid over.

LEGISLATIVE BILL NO. 427. Mr. Garber moved to strike the enacting clause.

A call of the House was ordered.

The call was raised.

The motion prevailed with 14 ayes, 12 nays, 17 not voting.

BILLS ON THIRD READING

LEGISLATIVE BILL NO. 520. Mr. Peterson moved to refer to Select File for the following Specific amendments:

1. Amend the printed bill, page 1, Section 1, line 15 by striking therefrom the figures "2,700.00 5,400.00" and by inserting in lieu thereof the following: "3,000.00 6,000.00".

2. Amend the printed bill, page 1, Section 1, line 17 by striking therefrom the figures "2,250.00 4,500.00" and by inserting in lieu thereof the following: "2,400.00 4,800.00".

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL NO. 520. The above Specific amendment offered by Mr. Peterson was adopted.

Referred to E and R for engrossment.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 408. (With emergency clause)

A bill for an Act to amend Section 32-503, Compiled Statutes of Nebraska, 1929; to amend Sec. 32-504, Comp. St. Supp., 1937; to amend Sections 32-922, 32-931 and 32-1122, Compiled Statutes of Nebraska, 1929; to amend Secs. 32-1205 and 32-1108, Comp. St. Supp., 1937; to amend Sections 32-1123, 32-1124, 32-1135, 32-1159, 32-1164 and 32-1903, Compiled Statutes of Nebraska, 1929, relating to elections; to prescribe the form of the official ballot in elections for public officers at general elections; to provide that, after completion of canvass of returns of said elections by the county board, the county clerk shall prepare a copy of the abstract of the votes cast for president, vice president, United States senator, congressman, all state officers, regents, judges of the supreme and district courts and all questions under the constitution voted upon by the whole people and shall seal, indorse and direct said abstract to the secretary of state who shall prepare a tabular sheet of the votes cast for such officers and measures and who shall preserve the same with the abstract of votes from the several counties for the use of the Legislature in making the official canvass; to prescribe what certificates of election county clerks shall issue; to direct where nomination papers shall be filed; to prescribe that nomination statements of all candidates for members of the Legislature shall be filed with the secretary of state; to enumerate the requirements of candidates seeking nomination by petition; to list filing fees to be paid by candidates; to provide that, in case nomination papers are filed by electors, other than the candidate, the nominee shall file, within five days from the date of filing said nominating petition, a written statement under oath that he affiliates with the party named in said certificate, that he will abide by the results of said primary, and, if elected, that he will qualify and serve as such officer; to provide that electors desiring to change party affiliations in order to be eligible to qualify as a candidate must publicly declare his intention to change his party affiliation at least ninety days prior to becoming a candidate of said different political party; to provide organization procedure for formation of new political parties; to provide that the state canvassing board shall meet on the third Tuesday succeeding the primary to canvass the primary election returns; to prescribe procedure for notifying nominees of their said nominations; to require sponsors of initiative petitions for initiating any law or amendment to the constitution prior to obtaining any signatures on said petitions to file a copy of the form to be used together with the name or names of those contributing or pledging contributions for the purpose of defraying the cost of the preparation, printing or circulation thereof; to provide that the person presenting said petition to the secretary of state for filing shall make a verified statement under oath showing the total amount contributed, pledged or received by each contributor for the preparation, printing or circulation thereof; to repeal said original sections; to repeal Sections 32-923 and 32-1136, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Johnson
Johnston
Klaver
Mekota
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 6:

Adams, J. Jr.
Craven
Howard
Lambert
Miller
Reavis

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement for Journal

Mr. President: Had I been present I would have voted "aye" on L. B. No. 408. (Signed) Craven.

MOTION—To Return for Correction

Mr. President: I move that L. B. No. 431 be returned to the Committee on Enrollment and Review to correct an error,—

"Page 3, Section 8, line 2, strike the figure 1 after the word Section and insert in lieu thereof the figure 7." (Signed) Hall.

The motion prevailed.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 198. Placed on Select File with amendments.

E and R amendments to L. B. No. 198:

I. Engross dollar signs and figures immediately after all dollar signs in lower case words underscored wherever the same appear throughout said bill.

II. Amend the original bill, page 3, Section 2, line 39 (the printed bill, page 2, Section 2, lines 30 and 31) by striking therefrom the words "**provided, however** " and by inserting in lieu thereof the following:

"**and provided further**";

and in line 46 of said Section 2 on page 3 of the original bill (line 35, Section 2, page 2 of the printed bill) strike therefrom "**: Provided further**" therein and insert in lieu thereof the following:

"**; and provided further**".

III. Amend the original bill, page 4, Section 2, line 56 (the printed bill, page 3, Section 2, line 43) by striking the punctuation "," after the conjunction "**and**" therein.

LEGISLATIVE BILL NO. 148. Placed on Select File with amendments.

E and R amendments to L. B. No. 148:

I. Amend the original bill, page 1, Section 1, line 11, (the mimeographed bill for June 1, 1939, page 1, Section 1, line 11) by striking the punctuation "." after the word "state" and inserting in lieu thereof the punctuation ":".

II. Amend the General File Amendments, original, June 1, 1939, Amendment 1, line 4, by striking the punctuation "," after the word "commerce" and before the word "any" therein and by inserting in lieu thereof the punctuation and word as follows: "; and", and in line 7 of said Amendment 1 strike the figure "1" and insert in lieu thereof the word "one".

III. Amend the General File Amendments (cited above) Amendment 1, line 10, by inserting after the punctuation ";" and before the word "said" the word "and".

IV. Amend the General File Amendments (cited above), Amendment 1, line 11, by striking therefrom the preposition "to" and by inserting in lieu thereof the word "shall".

V. Amend the General File Amendments (cited above) Amendment 2, line 3, by inserting after the word "Agriculture" therein the following:

"and Inspection".

VI. Amend the General File Amendments (cited above) page 1, Amendment 3, line 3, by engrossing the word "Department" therein in lower case.

LEGISLATIVE BILL NO. 92. Placed on Select File with amendments.

E and R amendments to L. B. No. 92:

I. Amend the original bill only, page 2, Section 2, line 8 by striking therefrom the word "misdeamenors" and by inserting in lieu thereof the word "misdemeanors".

II. Amend the printed bill only, page 1. Section 2, line 8 by striking the word "excpt" therein and by inserting in lieu thereof the word "except".

LEGISLATIVE BILL NO. 409. Placed on Select File with amendments.

E and R amendments to L. B. No. 409:

I. Strike all General File Amendments to the original and printed bill, adopted June 1, 1939.

II. Amend the original bill, pages 1 and 2 (the printed bill, pages 1 and 2) by striking all of Sections 1 and 2 thereon and by inserting in lieu thereof the following:

"Section 1. That Sec. 37-204, Comp. St. Supp., 1937, be amended to read as follows:

37-204. **(A). From and after January 1, 1940,** there There shall be paid to the state for permits issued under the provisions of this act **Act** the following fees: By residents of this state, for hunting and fishing, $1.00 **one dollar each or one dollar and fifty cents for both,** for trapping or otherwise taking fur-bearing animals **except raccoons with dogs,** $2.00 **two dollars and fifty cents, raccoon hunting with dogs, two dollars and fifty cents;** by non-residents of this state, permit fees in amounts equal to the fees charged for similar permits by the states of their respective residences but not less than amounts as follows: for fishing ~~$2.00~~ **two dollars,** for hunting ~~$10.00~~ **ten dollars,** for trapping or otherwise taking one thousand or less fur-bearing animals, ~~$100.00~~ **one hundred dollars,** and ~~$5.00~~ **five dollars** additional for each additional one hundred or part of one hundred ~~for bearing~~ **fur-bearing** animals taken or trapped; by aliens, for fishing, ~~$5.00~~ **five dollars,** for trapping, ~~tax same as for non-residents~~ **permit fees in amounts equal to fees charged non-residents for similar permits.** No person unless a resident and citizen of the United States who has resided in this state continuously for a period of sixty days before making application for a permit under this ~~act~~ **Act** and who has a bona fide intention of becoming a legal resident of this state shall be deemed such resident or be issued a permit as such under this ~~act~~ **Act.** The issuance of a hunter's permit to any one known to be physically or mentally unfit to carry or use firearms is hereby prohibited. **(B). Notwithstanding any more general law respecting permits to hunt and fish, up to and including December 31, 1939, there shall be paid to the state for permits issued under the provisions of this Act the following fees: By residents of this state, for hunting and fishing, one dollar for trapping or otherwise taking fur-bearing animals, two dollars; by non-residents of this state, permit fees in amounts equal to the fees charged for similar permits by the states of their respective residences but not less than amounts as follows: For fishing two dollars, for hunting ten dollars, for trapping or otherwise taking one thousand or less fur-bearing animals, one hundred dollars, and five dollars additional for each additional one hundred or part of one hundred fur-bearing animals taken or trapped; by aliens, for fishing, five dollars, for trapping, permit fees in amounts equal to fees charged non-residents for similar permits. No person unless a resident and citizen of the United States who has resided in this state continuously for a period of sixty days before making application for a permit under this Act and who has a bona fide intention of becoming a legal resident of this state shall be deemed such resident or be issued a permit as such under this Act. The issuance of a hunter's permit to any one known to be physically or mentally unfit to carry or use firearms is hereby prohibited.**

Sec. 2. That said original Sec. 37-204, Comp. St. Supp., 1937, is hereby repealed."

III. Amend the original bill, page 1, title, line 2 (the printed bill, page 1, title, line 2) by striking all of said title after the word "ACT" therein and by inserting in lieu thereof the following:

"to amend Sec. 37-204, Comp. St. Supp., 1937, relating to game and fish; to prescribe the amount of permit fees to be paid to the state of Nebraska for hunting, fishing, hunting and fishing, trapping or otherwise taking raccoons with or without dogs; and to repeal said original section."

Correctly Enrolled

LEGISLATIVE BILL NO. 447.

(Signed) Craven, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed L. B. No. 447.

SELECT FILE

LEGISLATIVE BILL NO. 148. E and R amendments as found in this day's Legislative Journal were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 409. E and R amendments as found in this day's Legislative Journal were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 92. E and R amendments as found in this day's Legislative Journal were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 374.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 198. E and R amendments as found in this day's Legislative Journal were adopted.

Mr. Mekota offered the following amendment, which was adopted by unanimous consent:

Strike the words "for three successive weeks" in lines 50 and 51 of Sec. 2, and insert the words "three successive weeks" after the word "notice" and before the word "in" in line 49 of said section.

Referred to E and R for engrossment.

BILLS ON THIRD READING

MOTION—To Refer to Select File

Mr. President: I move that L. B. No. 55 be returned to Select File for the purpose of specific amendment,—to strike the enacting clause. (Signed) Dunn

Record vote was requested.

Voting in the affirmative, 15:

Adams, E. A.
Callan
Doyle
Dunn
Gantz
Gross
Gutoski
Herrick
Mekota
Murphy
Neubauer
Rossiter
Thornton
Von Seggern
Westley

Voting in the negative, 8:

Ashmore
Brady
Craven
Hastings
Klaver
Norman
Peterson
Schultz

Not voting, 20:

Adams, J. Jr.
Brodecky
Carlson
Carsten
Diers
Garber
Hall
Howard
Johnson
Johnston
Lambert
Miller
Mischke
Mueller
Reavis
Reed
Sorrell
Thomas
Tvrdik
Van Diest

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL NO. 55. Mr. Dunn moved the adoption of the above Specific amendment, — to strike the enacting clause.

Record vote was requested.

Voting in the affirmative, 17:

Adams, E. A.
Brodecky
Callan
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Herrick
Mekota
Neubauer
Rossiter
Sorrell
Tvrdik
Von Seggern
Westley

Voting in the negative, 12:

Ashmore
Brady
Craven
Hastings
Johnston
Klaver
Mueller
Murphy
Norman
Peterson
Schultz
Thomas

Not voting, 14:

Adams, J. Jr.
Carlson
Carsten
Diers
Hall
Howard
Johnson
Lambert
Miller
Mischke
Reavis
Reed
Thornton
Van Diest

The amendment was adopted.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 301. (With emergency clause)

A bill for an Act to repeal Sections 57-207, 57-208 and 57-209, Compiled Statutes of Nebraska, 1929, relating to lessee's obligations under oil, gas and mineral leases; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 33:

Adams, E. A.
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gutoski
Hall
Hastings
Herrick
Johnson
Johnston
Klaver
Mekota
Murphy
Norman
Peterson
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 1:

Mischke

Not voting, 9:

Adams, J. Jr.
Ashmore
Gross
Howard
Lambert
Miller
Mueller
Neubauer
Reavis

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 471. (With emergency clause)

A bill for an Act relating to the state of Nebraska; specifically to reappropriate unexpended balances identified by Acct. No. 121, in the office of the auditor of public accounts arising out of appropriations heretofore made in paragraph 1, Section 37, Chapter 193, Session Laws of Nebraska, 1937, for the Bureau of Food, Drugs and Oils under the Department of Agriculture and Inspection, in the sum of and to the extent of fifty thousand dollars, or so much thereof as may be necessary, to the uses and purposes of the Nebraska Advertising Commission established and created therein; to prescribe the membership of which said commission shall consist; to require said commission to advertise the products of the state of Nebraska and the advantages of said state as a place of residence and recreation so as to attract tourists and to induce industries to locate within the confines of said state; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 23:

Adams, E. A.
Ashmore
Brady
Brodecky
Carlson
Carsten
Diers
Gutoski
Hall
Herrick
Klaver
Murphy
Neubauer
Norman
Peterson
Rossiter
Schultz
Sorrell
Thomas
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 15:

Callan
Craven
Doyle
Dunn
Gantz
Garber
Gross
Hastings
Johnson
Johnston
Mekota
Mischke
Mueller
Reed
Thornton

Not voting, 5:

Adams, J. Jr.
Howard
Lambert
Miller
Reavis

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause.

Vote on L. B. No. 471 With Emergency Clause Stricken:

Voting in the affirmative, 22:

Adams, E. A.
Ashmore
Brady
Brodecky
Carlson
Carsten
Diers
Herrick
Howard
Klaver
Murphy
Neubauer
Norman
Peterson
Rossiter
Schultz
Sorrell
Thomas
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 16:

Callan
Craven
Doyle
Dunn
Gantz
Garber
Gross
Hall
Hastings
Johnson
Johnston
Mekota
Mischke
Mueller
Reed
Thornton

Not voting, 5:

Adams, J. Jr.
Gutoski
Lambert
Miller
Reavis

A constitutional majority having voted in the affirmative, the bill was declared passed with the emergency clause stricken.

LEGISLATIVE BILL NO. 282.

A bill for an Act relating to livestock; to establish the livestock sanitary board of Nebraska; and to provide for the suppression and control of dangerous, contagious, infectious and otherwise transmissible disease of domestic animals; to provide that the provisions of this Act shall be deemed supplemental to and cumulative with existing laws relating to protection of health of domestic animals; to define the terms "Department of Agriculture", "Department of Agriculture and Inspection", "Department" and "Bureau of Animal Husbandry" as said terms appear in Article 9, Chapter 54, Compiled Statutes of Nebraska, 1929, and in Article 9, Chapter 54, Comp. St. Supp., 1937; to amend Sec. 81-107 (h), Comp. St. Supp., 1937; to repeal said original subsection; to provide validity and saving clauses; and to provide penalties for the violation thereof.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 23:

Adams, E. A.
Brodecky
Gross
Gutoski
Klaver
Neubauer
Thomas
Tvrdik

Carsten
Diers
Dunn
Gantz
Herrick
Howard
Johnson
Johnston
Norman
Peterson
Reed
Sorrell
Van Diest
Von Seggern
Westley

Voting in the negative, 9:

Ashmore
Brady
Doyle
Garber
Hall
Mekota
Mischke
Schultz
Thornton

Not voting, 11:

Adams, J. Jr.
Callan
Carlson
Craven
Hastings
Lambert
Miller
Mueller
Murphy
Reavis
Rossiter

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

STANDING COMMITTEE REPORT

Enrollment and Review

Presented to Governor for Approval

Friday June 2, 1939 at 4:15 p. m.

Legislative Bill No. 447.

(Signed) Craven, Chairman.

Unanimous Consent Granted

Upon request by Mr. Howard, unanimous consent was granted to instruct the Enrollment and Review committee to make the following changes in L. B. No. 148:

Amend the Standing Committee amendments, page 2, number 9, by inserting in Section 4, as amended by the Standing Committee amendment, after the word "vehicles" in the third line the following: "and the quarter, in case of quarterly payment, for which such equalization fee is paid,".

Recess

At 5:35 p. m. on motion by Mr. Carsten the Legislature recessed until 8:00 p. m.

After Recess

The Legislature reconvened at 8:00 p. m. President Johnson presiding.

The roll was called and all members were present except Messrs. Lambert, Miller and Thornton, and except John Adams, Jr. and Mr. Reavis who were excused.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 390. (With emergency clause)

A bill for an Act to amend Sec. 68-324, Comp. St. Supp., 1937, as amended by Section 1, Legislative Bill No. 429, Fifty-third Session, Nebraska State Legislature, 1939, relating to the State Assistance Fund; to provide for the division of said fund, together with certain unexpended balances for salaries and expenses of state administration, among assistance activities until June 30, 1941; to repeal said original section as amended; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Adams, E. A.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Garber
Gross
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Mekota
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reed
Rossiter
Sorrell
Thomas
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 8:

Adams, J. Jr.
Craven
Gutoski
Lambert
Miller
Reavis
Schultz
Thornton

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement for Journal

Mr. President: Had I been present at the time L. B. No. 390 was voted on, I would have voted "aye". (Signed) Schultz.

Mr. Thomas moved to defer third reading of L. B. No. 326 and L. B. No. 172 until June third.

The motion prevailed.

LEGISLATIVE BILL NO. 235. (With emergency clause)

A bill for an Act to amend Sec. 66-405, Comp. St. Supp., 1937, as amended by Sec. 2, Legislative Bill No. 483, Fifty-third Session, Nebraska State Legislature, 1939; to amend Secs. 66-411 and 66-416, Comp. St. Supp., 1937, relating to the excise tax levied on the sale and use of motor vehicle fuels; to provide that, commencing July 1, 1939 and until June 30, 1941, one cent per gallon of said tax of five cents per gallon so levied and collected shall be credited to the State Assistance Fund; to provide that fifty per cent of the Gas Tax Fund shall be transferred to the Department of Roads and Irrigation for the uses and purposes specified in said section, and for federal feeder roads and for the incidental costs in connection with the federal aid grade crossing program, for roads not on federal highways, state highways or federal feeder roads; to provide that thirty per cent of the Gas Tax Fund shall be transferred to the various counties in the proportions and for the purposes specified in said section; to provide for the allocation of the Gasoline Highway Fund or the Gasoline Tax Fund up to and including June 30, 1939; to repeal said original section as amended; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Adams, E. A.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Mekota
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reed
Rossiter
Schultz
Sorrell
Thomas
Tvrdik
Van Diest
Von Seggern
Westley

Voting in negative, 0.

Not voting, 5:

Adams, J. Jr.	Miller	Reavis	Thornton
Lambert			

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—To Refer to Select File

Mr. President: I move that L. B. No. 521 be returned to Select File for the following unanimous consent amendments:

1. Strike all of Section 35, together with all amendments thereto, and insert in the original bill and in the printed bill a new section to be numbered Section 35, as follows:

"Sec. 35. SECRETARY OF STATE.

Stock Brand Fund.

Appropriate from all moneys collected during the 1939-1941 biennium, together with any unexpended balance on hand, reappropriated, as of June 30, 1939, no estimate, for the uses and purposes of said fund, as follows:

For salary, brand clerk, not to exceed per biennium	$3,000.00
For salary, stenographer, not to exceed, per biennium	2,040.00
For maintenance, not to exceed, per biennium	2,800.00
For publication, brand book, reappropriate only, unexpended balance, as of June 30, 1939, Aud. Acct. No. 67.	

Real Estate Commissioner Fund.

Appropriate from all moneys collected during the 1939-1941 biennium, together with any unexpended balance on hand, reappropriated, as of June 30, 1939, no estimate, for the uses and purposes of said fund, as follows:

For Real Estate Commission, salaries and wages, including manager full time, not to exceed	5,640.00
For legal counsel, to be expended for salaries of assistants and office help in the office of the attorney general	600.00
For maintenance, not to exceed	4,000.00

2. Amend Section 9 (the printed bill, page 4, line 3) by inserting after the figure and punctuation "9," the words and figures as follows: "Chapter 193,".

3. Amend Section 50 (the printed bill, page 21, line 29) by striking the figures "$120,937.52" and insert in lieu thereof the figures, "$122,265.00".

4. Amend Section 50 (the printed bill, page 21, line 32) by striking therefrom the figures "$6,379,062.48" and insert in lieu thereof the figures "$6,424,635.00".

5. Amend Sec. 50 (printed bill, Page 21, Line 26) by striking the figures "$6,500,000.00" and insert in lieu thereof "$6,546,900.00".

6. I move the adoption of the foregoing amendments and that the bill be returned to the Committee on Enrollment and Review for engrossment accordingly.

(Signed) Brady

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL NO. 521. E and R amendments set out above were adopted unanimously.

Referred to E and R for engrossment.

Recess

At 9:12 p. m. the President declared a recess until 10:00 p. m.

After Recess

The Legislature reconvened at 10:10 p. m. President Johnson presiding.

The roll was called and all members were present except Messrs. Carsten, Lambert, Miller, Mueller, Reed, Schultz, Sorrell, Thornton, Van Diest and Westley, and except John Adams, Jr. and Mr. Reavis who were excused.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL NO. 521. Correctly engrossed.

LEGISLATIVE BILL NO. 221. Correctly engrossed.

LEGISLATIVE BILL NO. 431. Correctly reengrossed.

(Signed) Craven, Chairman

Adjournment

At 10:15 p. m. on motion by Mr. Gantz the Legislature adjourned until 9:00 a. m. Saturday, June 3, 1939.

Hugo F. Srb,
Clerk of the Legislature

ONE-HUNDRED EIGHTH DAY

Legislative Chamber,
Lincoln, Nebraska, June 3, 1939.

The Legislature met at 9:00 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except John Adams, Jr. and except Mr. Reavis who was excused.

The Journal for the One-hundred Seventh Day was approved as corrected.

Visitor

Mr. J. H. Alco of San Francisco, a former warden at San Quentin, was present and addressed the Legislature briefly.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 39. Mr. Neubauer moved its adoption.

The motion prevailed.

MOTION—To Refer to Select File

Mr. President: I move that L. B. No. 1 be returned to Select File for the following Specific amendment:

Amend General File amendment May 31, 1939, Herrick, found at page 1307 of the Journal, last line, by striking the word "not" following the word "of" and preceding the word "less".

(Signed) Craven.

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL NO. 1. Mr. Neubauer moved the adoption of the Specific amendment set out above.

The motion prevailed unanimously.

Referred to E and R for engrossment.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 172.

A bill for an Act relating to the practice and procedure in the various courts of the state; authorizing the Supreme Court to promulgate rules of practice and procedure for all courts, uniform as to each class of courts without abridging the substantive rights of any litigant; providing that the rules so adopted shall supersede the statutes where the same are in conflict; and to repeal all acts and parts of acts in conflict therewith.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 28:

Ashmore
Brady
Brodecky
Callan
Carsten
Craven
Diers
Doyle
Dunn
Hall
Hastings
Johnson
Johnston
Klaver
Lambert
Mischke
Murphy
Neubauer
Norman
Peterson
Reed
Rossiter
Schultz
Thomas
Thornton
Van Diest
Von Seggern
Westley

Voting in the negative, 8:

Adams, E. A.
Gross
Gutoski
Herrick
Miller
Mueller
Sorrell
Tvrdik

Not voting, 7:

Adams, J. Jr.
Carlson
Gantz
Garber
Howard
Mekota
Reavis

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 326. (With emergency clause)

A bill for an Act to amend Secs. 50-501, 50-502 and 50-508, Comp. St. Supp., 1937, relating to the Legislature; to provide the method of election of members of the Legislative Council; to fix their terms of office; to provide for the manner of filling of vacancies in said council; to prescribe the duties of the directors of research; to provide that the Legislature and said Legislative Council shall have access to all library facilities of the state; to provide for the establishment of a bill drafting service and to prescribe the powers and duties of the Legisative Council in reference thereto; to abolish the Nebraska Legislative Reference Bureau as of June 30, 1939; to repeal Sections 50-401, 50-402, 50-403, 50-404, 50-405, 50-406 and 50-407, Compiled Statutes of Nebraska, 1929; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 33:

Adams, E. A.
Ashmore
Brady
Brodecky
Callan
Carsten
Craven
Diers
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Johnson
Johnston
Klaver
Lambert
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reed
Rossiter
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 6:

Carlson
Doyle
Hastings
Herrick
Schultz
Sorrell

Not voting, 4:

Adams, J. Jr.
Howard
Mekota
Reavis

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 523. (With emergency clause)

A bill for an Act to appropriate ten per cent of all fees remitted into the state treasury by the state board of examiners in medicine, osteopathy, chiropractic, dentistry, optometry, pharmacy, embalming (including fees received from applicant or practicing funeral directors and undertakers as well as embalmers), chiropody and veterinary medicine, the state board of cosmetologist examiners, the state board of barber examiners, the athletic division under the governor, the bureau of education and registration for nurses, the state real estate commission, state brand fund of the secretary of state, the state board of professional engineering and architectural examiners and by any other state board, bureau, division, fund or commission, not mentioned above, now existing or hereafter created, if and when specifically appropriated or reappropriated by the Legislature during any biennium; to direct the method of handling fees remitted into the state treasury by each of said boards, bureaus, divisions and commissions, as provided by law; specifically to appropriate ten per cent of all said fees remitted into the state treasury during the biennium ending June 30, 1941, for the uses and purposes of the general fund of the state; to repeal Secs. 33-155, 33-156 and 33-157, Comp. St. Supp., 1937, as of June 30, 1939; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Johnson
Johnston
Klaver
Lambert
Miller
Mischke
Mueller
Neubauer
Norman
Peterson
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern

Voting in the negative, 0.

Not voting, 6:

Adams, J. Jr.
Howard
Mekota
Murphy
Reavis
Westley

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 522. (With emergency clause)

A bill for an Act to amend Section 1, Legislative Bill No. 8, Fifty-third Session, Nebraska State Legislature, 1939, as amended by Section

1, Legislative Bill No. 516, Fifty-third session, Nebraska State Legisature, 1939, relating to the payment of compensation of officers and employees of the Legislature, traveling expenses of members, the payments to be made for supplies and other incidental expenses incurred during the Fifty-third Session, Nebraska State Legislature, during the biennium ending June 30, 1939, and for ad interim activities of said Legislature during the biennium ending June 30, 1941; to appropriate the sum of $63,022.89 therefor; to repeal said original section, as amended; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Adams, E. A.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 2:

Adams, J. Jr. Reavis

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Recess

At 10:00 a. m. the President declared a recess.

After Recess

The Legislature reconvened at 10:37 a. m. President Johnson presiding.

The roll was called and all members were present except Mr. Reavis who was excused.

MOTION—To Refer to Select File

Mr. President: I move to return L. B. No. 521 to Select File for specific amendment as follows:

Amend Section 38, line 32, by striking the figures "5,000.00" and inserting the figures "50,000.00" in lieu thereof.

(Signed) Gantz

After discussion Mr. Carlson moved the previous question.

The motion prevailed with 27 ayes, no nays, 16 not voting.

The Gantz motion was lost with 13 ayes, 19 nays, 11 not voting.

SELECT COMMITTEE REPORT

Adjournment

Mr. President: Your Committee for Final Adjournment begs to report that we have set not later than Tuesday, 11:59 p. m. June 6, as the date for final adjournment.

(Signed) Edwin Schultz, Chairman
John Callan

The report was adopted with 35 ayes, no nays, 8 not voting.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 120. Placed on Select File with amendments.

E and R amendments to L. B. No. 120:

I. Amend the original bill, page 3, Section 1, line 49 (the printed bill, page 2, Section 1, line 35) by striking the word "State" therein and by inserting in lieu thereof the word "state".

II. Amend the original bill only, page 3, Section 1, line 54 by striking therefrom the word "of".

III. Amend the original bill, page 5, Section 2, line 6 (the printed bill, page 3, Section 2, line 4) by striking the words and punctuation "found guilty of a violation thereof," and by inserting in lieu thereof the following:

"violating any of the provisions of the preceding section, shall be deemed guilty of a misdemeanor, and, upon conviction thereof," .

IV. Amend the original bill, page 5, Section 5, line 9 (the printed bill, page 3, Section 5, line 6) by inserting after the word "state" therein the words "of Nebraska".

V. Amend the original bill, page 6, Section 8, line 3 (the printed bill, page 4, Section 8, line 2) by striking the word "herein" and by inserting in lieu thereof the words "of this Act"

VI. Amend the original bill, page 2, Section 1, line 17 (the printed bill, page 1, Section 1, line 12) by striking the word "or" preceding the word "by"; and amend the original bill, page 3, Section 1, line 37 (the printed bill, page 2, Section 1, line 27) by striking the word "or" preceding the word "by".

LEGISLATIVE BILL NO. 206. Placed on Select File with amendments.

E and R amendments to L. B. No. 206:

I. Strike all Standing Committee Amendments, mimeographed, April 3, 1939, to the bill; strike all Standing Committee Amendments, original, to the bill; strike all of the original bill, pages 1, 2, 3 and 4 (the printed bill, pages 1, 2 and 3) by striking all of Sections 1 to 9, inclusive, thereon and by inserting in lieu thereof the following:

"Section 1. Any person desiring to submit to the Department of Roads and Irrigation of the state of Nebraska, hereinafter called "department", a bid for the performance of any contract for the construction, reconstruction and improvement of roads, bridges and their appurtenances which the department proposes to let shall apply to the said department for pre-qualification not later than one week before the letting of said contract. The department shall qualify any person who applies upon a full and appropriate evaluation of his experience, equipment, financial resources and performance record. In determining the qualification of persons to bid on any particular contract, the department shall consider the equipment and resources available for the particular contract contemplated.

Sec. 2. Any person proposing to bid on a contract for construction, reconstruction and improvement of roads, bridges and their appurtenances to be let by the department shall submit to the department at such times as it may require a statement under oath showing his qualifications on a standard form to be prepared and supplied by the department. The financial showing required in said statements shall be certified by a certified public accountant. Said statements shall be for the use of the department only and shall be confidential.

Sec. 3. On any such contract for said construction, reconstruction and improvement of roads, bridges and their appurtenances to be let by the department, proposal forms for submitting bids shall be issued at the office of the department in the State Capitol not later than five o'clock P. M. of the day before the letting of said contract, only to those persons previously qualified by the department for such contract and bids shall be accepted only from such qualified persons. The names of all bidders and persons receiving proposal forms on any contract shall be available to the public after the bids on said contract are opened. Nothing herein contained shall be construed as depriving the department of the right to reject any and all bids at any time prior to the actual award of contract.

Sec. 4. Any reproduction of the plans prepared by the department for any contract to be let by said department may in the discretion of the department be obtained from the department by any person desiring such a reproduction by paying therefor to the department a reasonable sum to be fixed by the department in an amount estimated to cover the actual cost of preparing such a reproduction of the plans.

Sec. 5. The word "person", as used herein, shall mean any individual, copartnership, association, corporation, or joint stock company, their lessees, trustees or receivers appointed by any court and shall not include any governmental subdivision of the state of Nebraska or of the United States.

Sec. 6. The department shall have the power to make reasonable rules and regulations to carry out the provisions of this Act.

Sec. 7. That Section 39-1425, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

39-1425. The ~~Department of Public Works~~ **department**, ~~jointly with the county board~~, may let the contract for such work to the lowest ~~or best~~ **responsible** bidder **qualified for such contract by the department** or may reject all of such bids and cause the work to be done under the direction of the ~~Department of Public Works~~ **department: Provided,** ~~provided, that on and after November 9, 1926,~~ all contracts which involve the use of federal-state funds shall be let by the ~~Department of Public Works:~~ **department; and provided further,** ~~Provided, however,~~ that no money shall be expended from the state and federal aid road fund for the construction of any highway until after the work to be done has been advertised as provided for in this ~~act~~ **Act.**

Sec. 8. That Section 39-1505, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

39-1505. All contracts for the erection and construction of such bridge or bridges, and for furnishing the materials in connection with the same, shall be let to the lowest responsible bidder **qualified for such contract by the department.** All bids must be deposited with the county clerk of the ~~county~~ **county** making such application, or, if more than one county, bids shall be deposited with the county clerk of the county first named in the application. Bids shall be opened by the county clerk in the presence of the county boards having jurisdiction and the department ~~of public works~~. The department ~~of public works~~ may be represented at any of the transactions named in this section by the state engineer upon his being duly authorized to act in such capacity by the department.

Sec. 9. That Sections 39-1425 and 39-1505, Compiled Statutes of Nebraska, 1929, are hereby repealed."

II. Amend the original bill, page 1, title, line 2 (the printed bill, page 1, title, line 2, by striking all of said title after the word "ACT" therein and by inserting in lieu thereof the following:

"relating to highways and bridges; to provide for the pre-qualification of bidders on contracts for the construction, reconstruction and improvement of roads, bridges and their appurtenances to be let by the Department of Roads and Irrigation; to provide for the payment of the cost of reproductions of plans furnished by the Department of Roads and Irrigation by any person requesting the same; to amend Sections 39-1425 and 39-1505, Compiled Statutes of Nebraska, 1929; and to repeal said original sections."

LEGISLATIVE BILL NO. 441. Placed on Select File with amendments.

E and R amendments to L. B. No. 441:

I. Amend the printed bill only, page 1, title, line 2, by striking therefrom the figures "19.406" therein and by inserting in lieu thereof the following: "19-406".

II. Amend the original bill, page 1, title, lines 7 and 8 the printed bill, page 1, title, line 5) by striking therefrom the figure "8" wherever the same appears in each of said lines respectively and by inserting in lieu thereof the word "eight".

III. Amend the original bill, Section 1, pages 2 and 3 (the printed bill, Section 1, page 2) by striking the figure "8" or "8" wherever the same appears in said section and by inserting in lieu thereof the word "**eight**".

LEGISLATIVE BILL NO. 350. Placed on Select File with amendments.

E and R amendments to L. B. No. 350:

I. Amend the mimeographed General File amendments, Howard, adopted June 1, 1939, by first striking that part of amendment 1, pages 1 and 2, by striking all of lines 3 to 43 inclusive; and then strike on page 3 of amendment 2 lines 3 to 26 inclusive; and then strike on page 4 of the original bill (page 3 of the printed bill) all of Sections 3 and 4 thereon and insert in lieu of all subject matter stricken, described above, the following:

"Section 1. That Sec. 39-1034, Comp. St. Supp., 1937, be amended to read as follows:

39-1034. (a) No vehicle shall exceed a length of thirty-five feet extreme over-all dimensions inclusive of front and rear bumpers, including load; (b) **A tractor and semi-trailer when combined shall not exceed a length of forty-two feet extreme over-all dimensions inclusive of front and rear bumpers, including load;** (c) Combinations of vehicles, **including straight trucks and full trailers,** shall consist of not more than two ~~units~~ **vehicles,** and when so combined shall not exceed a total length of forty-five feet **inclusive of front and rear bumpers and including load.** ~~(c)~~ **; (d)** ~~The truck, tractor and semi-trailer, shall be construed to be one vehicle for the purpose of determining lengths and registration.~~ **A truck shall be construed to be one vehicle for the purpose of determining lengths; (e) A trailer shall be construed to be one vehicle for the purpose of determining lengths; (f) A truck, a tractor and semi-trailer, or a trailer shall be construed to be one vehicle for the purpose of registration.** ~~The above restrictions as to length shall not apply to any vehicle or combination of vehicles, as above defined, if such vehicle or combination of vehicles does not exceed forty-five feet in total length and if such vehicle or combination of vehicles were in operation and were duly registered on January 1, 1939, and provided further, that such privilege shall be granted only until January 1, 1935.~~ The above provisions **of (a), (b), (c), (d) and (e) of this section** shall not apply to the temporary moving of farm machinery, to road construction machinery, to towing for repair vehicles that have been disabled upon the highway, or to vehicles transporting construction material which of necessity must be handled upon the highways. **: Provided,** the Department of Roads and Irrigation may issue a special permit in writing for a period not to exceed ten days for the moving over the highways of the ~~State~~ **state,** vehicles, combination of vehicles, or other objects, which must of necessity be moved over the highways to reach their intended destinations said vehicles or objects exceeding the limitations provided herein and provided in any other statute of this ~~State~~ **state** relating to height, width, length and weight. The Department of Roads and Irrigation may impose such conditions and regulations for each such permit as may be necessary.

Sec. 2. That Sec. 39-1035, Comp. St. Supp., 1937, be amended to read as follows:

39-1035. (a) The wheels of all vehicles including trailers except those operated at 20 **twenty** miles per hour or less shall be equipped with pneumatic tires. (b) No wheel equipped with pneumatic, solid rubber or cushion tires shall carry a gross load in excess of 8,000 **eight thousand** lbs., nor shall any axle carry a gross load in excess of 16,000 **sixteen thousand** lbs., nor shall any truck and load weigh in excess of 32,000 **thirty-two thousand** lbs., nor shall any tractor and semi-trailer and load weigh in excess of 32,000 **forty thousand** lbs., nor shall any trailer and load weigh in excess of 16,000 **sixteen thousand** lbs., nor shall any combination of vehicles, including weight and load, weigh in excess of 48,000 **forty-eight thousand** lbs. (c) These limitations shall apply to all main, rural and inter-city roads, but shall not be construed as inhibiting heavier axle loads in metropolitan areas if such loads are not prohibited by city ordinance. (d) These weights for wheel and axle loads may be restricted by the Department of Public Works **Roads and Irrigation** for a reasonable period where road sub-grades are materially weakened from thawing after deep frost or from a continued saturated condition of the soil; Provided, further, that if any truck shall cross a bridge with a total gross load in excess of the posted capacity of said bridge, and as a result of such crossing, damage results to the bridge, in any way, the owner of such truck shall be responsible for all of such damage.

Sec. 3. That said original Secs. 39-1034 and 39-1035, Comp. St. Supp., 1937, are hereby repealed.

Sec. 4. Whereas, an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval, according to law."

II. Amend the original bill, page 1, title (the printed bill, page 1, title) by striking all of said title after the word and punctuation "travel;" in line 4 of the original bill (line 3 of the printed bill),—as directed in General File amendment No. 3, Howard, adopted June 1, 1939,—and insert in lieu thereof the following:

"to provide that a truck or a trailer shall be construed to be one vehicle for the purpose of determining lengths; to provide that a truck, a tractor and semi-trailer, or a trailer shall be construed to be one vehicle for the purpose of registration; to provide that a tractor and semi-trailer when combined shall not exceed a total length of forty-two feet inclusive of front and rear bumpers and including load; to provide that no tractor and semi-trailer and load shall weigh in excess of forty thousand pounds; to repeal said original sections; and to declare an emergency.".

(Signed) Craven, Chairman.

SELECT FILE

Mr. Gross presiding.

LEGISLATIVE BILL NO. 120. E and R amendments above set out were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 206. E and R amendments above set out were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 441. E and R amendments above set out were adopted.

Referred to E and R for engrossment.

LEGSLATIVE BILL NO. 350. E and R amendments above set out were adopted.

Laid over until 2:00 p. m.

Approved by Governor

June 2, 1939

To the Members of the Legislature:

Gentlemen:

I am directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bill:
L. B. No. 44.

Respectfully submitted,

(Signed) Otho K. De Vilbiss,
Secretary to the Governor.

Message from Governor

June 3rd, 1939

To the Members of the Legislature:

Gentlemen:

I am returning herewith legislative bill No. 133 without my approval for the following reasons:

This measure would repeal the present requirement that the price of gasoline, including tax, be posted by dealers in figures not less than three inches high. It would require dealers to post the gasoline tax separately from the "actual price" of gasoline, in figures of equal size, but with no minimum height prescribed.

I see no good whatsoever that can come from this legislation. The public is interested in knowing the total cost of any commodity purchased. Under the present law, gasoline dealers now post uniformly the total price of gasoline as an inducement to trade, and to avoid confusion and misunderstanding in making settlement for purchases after the motor fuel is delivered to a vehicle.

There are other taxes making up the total retail cost of gasoline. There would seem to be no good reason, therefore, for posting the excise tax only, and not these other taxes. Furthermore, there would seem to be no more reason for posting the taxes, direct or indirect, going to make up the selling price of gasoline, than in the case of any other commodity.

In addition to the confusion and misunderstanding this bill would cause with respect to the dealers and the public, it also would create an administrative problem in the matter of enforcement.

Respectfully submitted,

(Signed) R. L. Cochran,
Governor.

President Johnson presiding.

BILLS ON THIRD READING

The following bills were read he third time and put upon passage:

LEGISLATIVE BILL NO. 352. (With emergency clause)

A bill for an Act to amend Section 16-670, Compiled Statutes of Nebraska, 1929, relating to cities of the first class having a population of not less than five thousand inhabitants nor more than twenty-five thousand inhabitants; to fix and determine the limitation on bond issues for the purpose of constructing or aiding in the construction of the city hall, jail, auditorium buildings for the fire department and other public buildings in an amount not exceeding the sum of three hundred thousand dollars; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?"

Voting in the affirmative, 37:

Ashmore
Brady
Brodecky
Carlson
Carsten
Craven
Diers
Doyle
Gantz
Garber
Gross
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 6:

Adams, E. A.
Adams, J. Jr.
Callan
Dunn
Gutoski
Reavis

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and title agreed to.

LEGISLATIVE BILL NO. 205. (With emergency clause)

A bill for an Act to create and establish additional state game refuge on each side of the banks of the Platte river between the counties of Dodge and Saunders in said state; to regulate and prohibit the coursing or killing of game birds or other birds therein; to provide penalties for the violation thereof; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Miller
Mischke
Mueller
Murphy
Neubauer
Peterson
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Von Seggern
Westley

Voting in the negative, 2:

Norman
Tvrdik

Not voting, 7:

Adams, E. A.
Craven
Garber
Gross
Mekota
Reavis
Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement for Journal.

Mr. President: Had I been present, I would have voted "aye" on L. B. No. 352 and "no" on L. B. No. 205. (Signed) Adams, E. A.

LEGISLATIVE BILL NO. 86. (With emergency clause)

A bill for an Act relating to unfair competition and unfair business practices; to define and prohibit unfair sales, unfair competition and unfair business practices; to declare the selling or offer to sell of goods as prohibited to be a matter of public interest; to provide remedies for violations thereof; to establish penalties therefor; to provide a validity clause; to provide that this Act shall be cumulative with Sections 59-501 to 59-508, inclusive, Compiled Statutes of Nebraska, 1929; to repeal Secs. 59-510, 59-511, 59-512, 59-513, 59-514, 59-515, 59-516, 59-517, 59-518, 59-519, 59-520, 59-521 and 59-522, Comp. St. Supp., 1937; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

A call of the House was ordered.

The call was raised.

Voting in the affirmative, 27:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brodecky
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gutoski
Hall
Hastings
Johnston
Klaver
Miller
Mueller
Murphy
Norman
Peterson
Reed
Schultz
Sorrell
Thomas
Tvrdik
Van Diest
Westley

Voting in the negative, 12:

Brady
Gantz
Garber
Gross
Herrick
Howard
Johnson
Lambert
Mekota
Mischke
Neubauer
Von Seggern

Not voting, 4:

Callan
Reavis
Rossiter
Thornton

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause.

Vote on L. B. No. 86 With Emergency Clause Stricken

A call of the House was ordered.

The call was raised.

Voting in the affirmative, 25:

Adams, E. A.
Ashmore
Brodecky
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gutoski
Hall
Johnston
Klaver
Miller
Mueller
Murphy
Norman
Peterson
Reed
Schultz
Sorrell
Thomas
Tvrdik
Van Diest
Westley

Voting in the negative, 13:

Brady
Gantz
Garber
Gross
Herrick
Howard
Johnson
Lambert
Mekota
Mischke
Neubauer
Thornton
Von Seggern

Not voting, 5:

Adams, J. Jr.
Callan
Hastings
Reavis
Rossiter

A constitutional majority having voted in the affirmative, the bill was declared passed with the emergency clause stricken.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL NO. 296. Placed on Select File with amendments.

E and R amendments to L. B. No. 296:

I. Amend the original bill, page 2, Section 1, line 1 (the printed bill, page 1, Section 1, line 1) by striking the abbreviation and punctuation "Sec." therein and by inserting in lieu thereof the word "Section"; and on said page 2, Section 2, line 1 of the original bill (page 1, Section 2, line 1 of the printed bill) strike the abbreviation and punctuation "Sec." therein and insert in lieu thereof the word "Section".

II. Amend the original bill, page 2, Section 3, line 2 (the printed bill, page 1, Section 3, line 2) by inserting the punctuation "," after the word "effect" and before the word "from" therein.

III. Amend the General File Amendments, original, adopted June 1, 1939, amendment 1, lines 3 to 5 inclusive, by engrossing all subject matter in quotation marks in said lines so that the same will appear as new or underscored matter.

IV. Amend the original bill, page 1, title, line 13 (the printed bill, page 1, title, line 8) by inserting after the word and punctuation "purpose;" therein the following:

"to provide that the foregoing classification of said offices and positions in the public service shall not be effective except upon approval by a majority of the electors of said city voting upon said proposition;".

LEGISLATIVE BILL NO. 224. Placed on Select File with amendments.

E and R amendments to L. B. No. 224:

I. Amend the General File amendments, Howard, Amendment 1, line 2 by inserting immediately preceding the word "On" therein the following: "(A).".

II. Amend the original bill, page 5, Section 2, line 53 (the printed bill, page 4, Section 2, line 40) by inserting after the punctuation "." therein the following:

"(B). Notwithstanding any more general law respecting registration or licenses of motor vehicles, up to and including December 31, 1939 the Department of Roads and Irrigation shall furnish to every person whose motor vehicle shall be registered as aforesaid, two number plates upon which shall be displayed the registration number assigned to such motor vehicle, in figures not less than three inches in height. The letters and figures for motorcycles and trailer plates may be one-half the size of those required herein for motor vehicles: Provided, on number plates issued to a manufacturer or dealer there shall be displayed, in addition to the registration number the letter "D"; and provided, further, on number plates issued for trucks, trailers, or motor vehicles carrying more than seven passengers, there shall be displayed, in addition to the registration number the letter "T", said letters to be the same height as the figures of the registration number."

III. Amend the original bill, page 1, title, line 5 (the printed bill, page 1, title, line 3) by striking the punctuation ";" therein and by inserting in lieu thereof the punctuation ",".

IV. Amend the original bill, page 1, title, line 8 (the printed bill, page 1, title, line 5) by striking therefrom the word "flammable" therein and by inserting in lieu thereof the word "inflammable".

V. Amend the printed bill only, page 2, Section 1, line 43 by striking therefrom "69-330" and by inserting in lieu thereof the following: "68-330".

VI. Amend the original bill, page 3, Section 1, line 68 (the printed bill, page 3, Section 1, line 51) by striking therefrom the word "**flammable**" and by inserting in lieu thereof the word "**inflammable**".

VII. Amend the original bill, page 4, Section 2, line 16 (printed bill, page 3, Section 2, line 13) by inserting the punctuation and symbol "," after the word "passengers" and before the word "there".

LEGISLATIVE BILL NO. 336. Placed on Select File with amendments.

E and R amendments to L. B. No. 336:

I. Amend the printed bill, only, page 2, Section 2, line 9 by striking the word "embracd" and by inserting in lieu thereof the word "embraced".

II. Amend the Standing Committee amendments, mimeographed, April 3, 1939, to the bill, page 1, Amendment 5, line 17, by striking the word "petitions" and by inserting in lieu thereof the words "signatures of petitioners".

III. Amend the Standing Committee amendments, cited above, page 1, Amendment 5, line 20 by inserting the punctuation "," after the word "district".

IV. Amend the Standing Committee amendments, cited above, page 2, Amendment 6, line 7, by striking the figures "$2000." and by inserting in lieu thereof the following:

"two thousand dollars".

V. Amend the original bill, page 10, Section 14, line 4 (the printed bill, page 7, Section 14, line 3, by striking the figure "6" therein and by inserting in lieu thereof the word "six".

VI. Amend the original bill, page 10, Section 14, lines 5 and 6 (the printed bill, page 7, Section 14, line 4) by striking the punctuation and word "; provided" and by inserting in lieu thereof the following:

": Provided"

VII. Amend the Standing Committee Amendments, mimeographed, April 3, 1939, to the bill, page 3, Amendment 14, line 11, by striking the punctuation "." in said line and by inserting in lieu thereof the following.

"; to provide a validity clause; and to declare an emergency."

VIII. Amend the original bill, page 2, Section 2, line 10 (the printed bill, page 2, Section 2, lines 7 and 8) by striking the word "postoffice" and inserting in lieu thereof the word "post-office".

(Signed) Craven, Chairman.

SELECT FILE

LEGISLATIVE BILL NO. 296. E and R amendments above set out were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 224. E and R amendments above set out were adopted.

Mr. Murphy offered the following amendment, which was adopted by unanimous consent:

1. Amend the printed bill Section 1, Page 3, Line 56, by inserting after the punctuation "." the following: "Provided that all such vehicles shall be equipped with an electric signal stop lamp, red in color, located on the rear of the vehicle, at a height of not less than 42 inches nor more than 60 inches above the surface of the highway. This device shall be operated independently by a control in the driver's compartment of the vehicle and shall be illuminated for a distance of not less than 500 feet nor more than 1000 feet in advance of the point at which said vehicle is required to stop as provided in this section. The Department of Roads and Irrigation is hereby authorized and required to adopt specifications for said lamps and all vehicles affected by the provisions of this Act shall be equipped with a signal stop lamp complying with said specifications.

2. Amend the printed bill title, line 6, by inserting after the punctuation ";" the following: "to provide specifications for signal stop lamps to be required on each vehicle;"

Referred to E and R for engrossment.

LEGISLATIVE BILL NO. 336. E and R amendments above set out were adopted:

Referred to E and R for engrossment.

MOTION—Membership Legislative Council

Mr. President: I move that the members residing in each congressional district nominate three members to serve as members of the Legislative Council, except that the members residing in the Fourth Congressional District shall nominate two members, and report such nominations to the Legislature for its action. (Signed) Thomas.

The motion prevailed.

Recess

At 12:37 p. m. on motion by Mr. Carsten the Legislature recessed until 2:00 p. m.

After Recess

The Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present except Messers. Hall, and Schultz, and except Messers. Reavis and Klaver who were excused.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 41. Introduced by Miller of Kimball, Carsten of Cass.

Clerk of the Legislature as Legislative Custodian

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. The Clerk of the Legislature is hereby designated as Legislative Custodian of legislative property and quarters from the effective date of this resolution until further order of the Legislature and as such custodian shall perform the following duties: a. Equip quarters assigned to the Legislative Council with legislative furniture and equipment as directed by said Council adequate and sufficient for the purpose of carrying on the work of said Council in an efficient manner; b. furnish the quarters assigned to said Council with regular and

proper janitor services as well as all other rooms and quarters definitely assigned to the Legislature; c. have complete control of all furniture and equipment in the legislative quarters so assigned; d. make or cause to be made, under the direction of the Legislative Council, an inventory of all property, including furniture and equipment assigned to or belonging to the Legislature of the state of Nebraska, and, in connection with making said inventory the said clerk shall be empowered to recover, recapture and take possession of any property of the Legislature wherever the same may be; and the Clerk of the Legislature shall keep in his office in a book provided for that purpose a complete record of said inventory which shall contain an itemized account of all legislative property, together with a description of each item of property under his care and control, together with the location of the same; and the Clerk of the Legislature shall not permit or allow any of said legislative furniture and equipment to leave his possession for use by any other state agency or by any other person, without written resolution adopted by the Legislative Council authorizing the same; e. at the time of making said inventory to cause to be indelibly tagged, marked or stamped on all such property, furniture or equipment belonging to the Legislature the following: "Property of Legislature of Nebraska"; f. to make verified report covering all things done, pursuant to this resolution, to the Legislative Council on or before January 1, 1940 and on the first day of January in 1941, which report shall be included in the report which the Legislative Council shall make to the next regular session of the Nebraska State Legislature; g. state positively in said verified report that each item of legislative property, equipment and furniture has been tagged, marked or stamped and to cause all other property hereafter acquired for legislative purposes to be so tagged, marked or stamped and notation thereof should be made in said inventory which shall be kept current.

Mr. Miller moved that the rules be suspended and the resolution adopted.

The motion prevailed with 32 ayes, no nays, 11 not voting.

LEGISLATIVE RESOLUTION NO. 42. Introduced by Thomas of Douglas.

Directing the Custodian of the State Capitol Building to Set Aside, Equip and Maintain Quarters for the Legislative Council and the Press and to Direct the Legislative Custodian to Care for Such Quarters.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That the custodian of the State Capitol Building of the state of Nebraska be directed forthwith to assign and set aside for the exclusive use of the Legislative Council for its work ad interim definite quarters in the State Capitol Building known as Rooms 1104, 1104a, 1106 and 1108, and rooms 2028 and 2301 for the use of the Press until further order of this Legislature.

2. That the legislative custodian be directed to equip said quarters so assigned with legislative furniture and equipment, as directed by said Council adequate and sufficient for the purpose of carrying on the work of said Council in an efficient manner; and that said legislative custodian be charged with the duty of furnishing the quarters so assigned with regular and proper janitor service after this Legislature shall have adjourned, until further order of this Legislature, as other legislative rooms and quarters are kept and maintained.

3. That copies of this resolution be forthwith delivered by the Clerk of this Legislature to the custodian of the State Capitol and to the legislative custodian after the same shall have been spread at large upon the Legislative Journal.

Mr. Thomas moved that the rules be suspended and the resolution adopted.

The motion prevailed with 32 ayes, no nays, 11 not voting.

Opinion—Attorney General

A letter was read from the Attorney General setting out his opinion as to the constitutionality of Legislative Bill No. 1.

SELECT FILE

LEGISLATIVE BILL NO. 350. Referred to E and R for engrossment.

Member Excused

Mr. Van Diest was excused at 3:00 p. m.

MOTION—To Reconsider

Mr. President: I move to reconsider Mr. Garber's motion to strike the enacting clause of L. B. No. 427, June 2nd. (Signed) John Adams, Jr.

MOTION—To Table

Mr. President: I move to table the Adams motion to reconsider. (Signed) Garber.

Record vote was requested.

Voting in the affirmative, 10:

Adams, J. Jr.
Carlson
Garber
Hastings
Johnston
Lambert
Mekota
Miller
Mischke
Thomas

Voting in the negative, 5:

Brodecky
Craven
Gross
Gutoski
Neubauer

Not voting, 28:

Adams, E. A.
Ashmore
Brady
Callan
Carsten
Diers
Doyle
Dunn
Gantz
Hall
Herrick
Howard
Johnson
Klaver
Mueller
Murphy
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

The motion prevailed.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 372. (With emergency clause)

A bill for an Act to amend Sections 20-1601, 20-1604, 20-1608, 20-1609, 20-1613, 20-1614, 20-1615, 20-1617, 20-1618, 20-1619, 20-1620, 20-1622, 20-1623, 20-1629, 20-1630, 20-1631, 20-1633, 20-1636, 29-1401, 29-1407, 29-1408 and 29-1419, Compiled Statutes of Nebraska, 1929; to amend Secs. 20-1603 and 20-1605, Comp. St. Supp., 1937, relating to civil and criminal procedure, to provide for the qualifications and selection of grand jurors; to provide for alternate grand jurors; to provide for a special prosecutor to act before grand juries in certain cases; to provide for an official reporter for such grand jury in certain cases; to provide penalties; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 13:

Adams, E. A.
Diers
Gutoski
Thomas

Adams, J. Jr.
Brodecky
Craven
Dunn
Gross
Peterson
Reed
Tvrdik
Von Seggern

Voting in the negative, 20:

Ashmore
Brady
Callan
Carlson
Carsten
Doyle
Gantz
Garber
Hastings
Johnson
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Rossiter
Sorrell
Thornton
Westley

Not voting, 10:

Hall
Herrick
Howard
Johnston
Klaver
Lambert
Norman
Reavis
Schultz
Van Diest

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause.

Vote on L. B. No. 372 With Emergency Clause Stricken:

Voting in the affirmative, 16:

Adams, E. A.
Adams, J. Jr.
Brodecky
Craven
Diers
Dunn
Gross
Gutoski
Howard
Norman
Peterson
Reed
Thomas
Thornton
Tvrdik
Von Seggern

Voting in the negative, 19:

Ashmore
Brady
Callan
Carlson
Carsten
Doyle
Gantz
Garber
Hastings
Johnson
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Rossiter
Sorrell
Westley

Not voting, 8:

Hall
Herrick
Johnston
Klaver
Lambert
Reavis
Schultz
Van Diest

A constitutional majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause stricken.

Recess

At 4:05 p. m. on motion by Mr. Craven the Legislature recessed for fifteen minutes.

After Recess

The Legislature reconvened at 4:20 p. m. President Johnson presiding.

The roll was called and all members were present except Messrs. Adams, J. Jr., Brady, Dunn, Hall, Herrick, Peterson, Reed, Rossiter, Schultz and Van Diest, and except Messrs. Klaver and Reavis who were excused.

STANDING COMMITTEE REPORT

Enrollment and Review

Correctly Engrossed

L. B. No. 12	L. B. No. 409	L. B. No. 374
L. B. No. 198	L. B. No. 1	L. B. No. 92

(Signed) Craven, Chairman.

Recess

At 4:30 p. m. on motion by Mr. Craven the Legislature recessed until 9:30 p. m.

After Recess

The Legislature reconvened at 9:35 p. m. Speaker Diers presiding.

The roll was called and all members were present except Messrs. Callan, Carlson, Carsten, Doyle, Hall, Herrick and Mueller, and except Messrs. Klaver, Reavis and Van Diest who were excused.

MOTION—To Reconsider

Mr. President: I move that we reconsider our action on L. B. No. 468. (Signed) John Adams, Jr.

Record vote was requested.

Voting in the affirmative, 9:

Adams, J. Jr.	Gross	Neubauer	Peterson
Brodecky	Gutoski	Norman	Schultz
Craven			

Voting in the negative, 13:

Adams, E. A.	Hastings	Mekota	Thomas
Ashmore	Howard	Mischke	Tvrdik

Gantz
Garber
Johnson
Sorrell
Von Seggern

Not voting, 21:

Brady
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Hall
Herrick
Johnston
Klaver
Lambert
Miller
Mueller
Murphy
Reavis
Reed
Rossiter
Thornton
Van Diest
Westley

The motion was lost.

STANDING COMMITTEE REPORT

Enrollment and Review

Correctly Engrossed

L. B. No. 207
L. B. No. 231
L. B. No. 202
L. B. No. 212
L. B. No. 520
L. B. No. 148
L. B. No. 120
L. B. No. 206
L. B. No. 441
L. B. No. 296
L. B. No. 224
L. B. No. 336
L. B. No. 350

Correctly Enrolled

L. B. No. 301
L. B. No. 235
L. B. No. 352
L. B. No. 326
L. B. No. 522
L. B. No. 205
L. B. No. 172
L. B. No. 282
L. B. No. 471

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed

L. B. No. 301
L. B. No. 235
L. B. No. 352
L. B. No. 326
L. B. No. 522
L. B. No. 205
L. B. No. 172
L. B. No. 282
L. B. No. 471

Adjournment

At 11:02 p. m. Mr. Schultz moved to suspend the rules and adjourn until Monday, June 5th at 10:00 a. m.

The motion prevailed with 31 ayes, no nays, 12 not voting.

Hugo F. Srb,
Clerk of the Legislature.

ONE-HUNDRED NINTH DAY

Legislative Chamber,
Lincoln, Nebraska, June 5, 1939.

The Legislature met at 10:00 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Messrs. Mueller and Reavis who were excused.

The Journal for the One-hundred Eighth Day was approved as corrected.

MOTION—To Recess

Mr. President: I move that we recess until 1:30 p. m. to attend the commencement exercises at the University. Dunn

The motion was lost with 19 ayes, 20 nays, 4 not voting.

Member Excused

Mr. Sorrell was excused for the remainder of the morning.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for Approval

Monday, June 5, 1939 at 9:00 a. m.

L. B. No. 522
L. B. No. 471
L. B. No. 352
L. B. No. 326
L. B. No. 301
L. B. No. 235
L. B. No. 205
L. B. No. 172

Correctly Enrolled

L. B. No. 408	L. B. No. 390	L. B. No. 523	L. B. No. 86

(Signed) Craven, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 408	L. B. No. 390	L. B. No. 523	L. B. No. 86

MOTION—To Suspend Rules

Mr. President: I move that the rules be suspended and we take up the bills on Third Reading,—L. B. No. 521, L. B. No. 221 and L. B. No. 431. (Signed) Brady.

The motion prevailed with 38 ayes, no nays, 5 not voting.

BILLS ON THIRD READING

LEGISLATIVE BILL NO. 521. Laid over.

Recess

At 12:00 m. on motion by Mr. Tvrdik the Legislature recessed until 2:00 p. m.

After Recess

The Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present except Messrs. Mueller and Reavis who were excused.

MOTION—To Caucus re Legislative Council

Mr. President: I move that we caucus by congressional districts for the purpose of nominating members to serve on the Legislative Council for the ensuing term. Tvrdik

The motion prevailed.

The President declared a recess for such caucuses.

After Recess

The Legislature reconvened at 2:47 p. m. President Johnson presiding.

The roll was called and all members were present except Messrs. Mueller and Reavis who were excused.

BILLS ON THIRD READING

LEGISLATIVE BILL NO. 521. MOTION—To Return to Select File.

Mr. President: I move that L. B. No. 521 be returned to Select File for the following Specific amendments:

1. Amend the printed bill, final form on third reading, page 5, Section 11, lines 13, 14 and 15, by striking therefrom the words: "Bang's disease, pursuant to Legislative Bill No. 272, Fifty-third Session,".

2. Amend the printed bill, final form on third reading, page 5, Section 11, by inserting a new paragraph between lines 16 and 17, as follows:

"Eradication of Bang's disease, pursuant to Legislative Bill No. 272, Fifty-third Session.............................$35,000.00"

3. Amend the printed bill, Final Form on Third Reading, page 18, Section 42, by inserting immediately after line 59 thereon the following:

"Motor Vehicle Title Fund.

Appropriate all fees arising out of Legislative Bill No. 221, Fifty-third Session, Nebraska State Legislature, 1939, for administration and enforcement of said Act, no estimate."

(Signed) Howard, Mischke, Reed, Van Diest, Peterson

The motion prevailed with 19 ayes, 1 nay, 23 not voting.

SELECT FILE

LEGISLATIVE BILL NO. 521. Mr. Mischke moved that the Specific amendments above set out be adopted.

The motion prevailed.

Referred to E and R for reengrossment.

MOTION—To Reconsider

Mr. President: I move that we reconsider our action on L. B. No. 372 and that it be returned to Select File for the following Specific amendment:

To strike all Select File amendments dated May 31, 1939, except amendment No. 3. (Signed) Gantz

The motion prevailed with 29 ayes, 2 nays, 12 not voting.

SELECT FILE

LEGISLATIVE BILL NO. 372. Mr. Gutoski moved to adopt the Specific amendment next above set out.

The motion prevailed with 17 ayes, 7 nays, 19 not voting.

Mr. Gutoski moved to refer to E and R for engrossment.

The motion prevailed with 14 ayes, 5 nays, 24 not voting.

Report On Membership to Legislative Council

Mr. President: The following members were elected to serve on the Legislative Council from the First Congressional District:

John S. Callan M. E. Westley Joseph C. Reavis
(Signed) Dunn, Chairman

Mr. President: I wish to advise the following members have been nominated from the Second Congressional District to serve as members of the Legislative Council:

Ernest A. Adams Charles F. Tvrdik Amos Thomas
(Signed) Thomas, Chairman

Mr. President: The Third Congressional District nominates for membership on the Legislative Council:

Carl H. Peterson J. B. Rossiter Frank J. Brady
(Signed) Brady, Chairman

Mr. President: The members of the Fourth Congressional District have elected the following members to serve on the Legislative Council:

Leland R. Hall J. Lyndon Thornton
(Signed) Diers, Chairman

Mr. President: The following members were elected to serve on the Legislative Council from the Fifth Congressional District:

Harry E. Gantz Fred A. Mueller R. M. Howard
(Signed) Murphy, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 43. Introduced by Thomas of Douglas.

Approving Membership of the Legislative Council

1939-1941

Preamble

WHEREAS, the members from the five Nebraska Congressional Districts have nominated legislators to serve on the Legislative Council from 1939 to 1941, and they have reported the fact of their selections to membership on said Legislative Council to the Legislature according to law, and

WHEREAS, said nominations must be approved by this Legislature so that said Legislative Council may organize and continue to function,

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That the several nominations to membership on the Legislative Council for 1939-1941, be approved by this Legislature as follows:

First Congressional District

M. E. Westley
Joseph C. Reavis
John S. Callan

Second Congressional District

Ernest A. Adams
Charles F. Tvrdik
Amos Thomas

Third Congressional District

Frank J. Brady
Carl Peterson
J. B. Rossiter

Fourth Congressional District

W. H. Diers
Leland R. Hall
J. Lyndon Thornton

Fifth Congressional District

Harry E. Gantz
R. M. Howard
Fred A. Mueller

Mr. Thomas moved that Resolution No. 43 be adopted.

The motion prevailed with 27 ayes, no nays, 16 not voting.

Approved by Governor

June 5th, 1939.

To the Members of the Legislature:

Gentlemen:

I have been directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bills:

L. B. No. 205
L. B. No. 172
L. B. No. 301
L. B. No. 235
L. B. No. 471
L. B. No. 447

Respectfully submitted,
(Signed) Otho K. De Vilbiss,
Secretary to the Governor.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 221.

A bill for an Act relating to motor vehicles, the ownership thereof and other interests therein; providing manner of originating title to motor vehicles by manufacturers and importers; providing for the issuance of certificates of title and related documents concerning title to motor vehicles by clerks of various counties in accordance with uniform system prescribed by Department of Roads and Irrigation and upon payment of certain fees; providing for recording of liens and encumbrances on motor vehicles on certificate of title; prohibiting sale or transfer of motor vehicles unless accompanied by assignment of certificate of title; establishing rules and regulations and prescribing forms for the issuance of certificate of title and related documents and for the maintenance of records pertaining thereto; prescribing procedure with regard to stolen or converted motor vehicles; providing for distribution of fees collected pursuant to this Act; amending Section 60-325, Compiled Statutes of Nebraska, 1929; repealing said original Section 60-325; providing a validity clause; and prescribing penalties for the violation of the several provisions of this Act.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass?' "

Voting in the affirmative, 26:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Diers
Dunn
Gantz
Gutoski
Hall
Herrick
Johnson
Klaver
Lambert
Mischke
Murphy
Norman
Peterson
Reed
Rossiter
Schultz
Thomas
Thornton
Tvrdik
Westley

Voting in the negative, 14:

Carlson
Carsten
Craven
Doyle
Garber
Hastings
Howard
Johnston
Mekota
Miller
Neubauer
Sorrell
Van Diest
Von Seggern

Not voting, 3:

Gross	Mueller	Reavis

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—To Reconsider Action

Mr. President: I move that we reconsider our action of the One-hundred Eighth Day, in adopting the report of the Committee for Final Adjournment. Brady.

The motion prevailed with 27 ayes, 6 nays, 10 not voting.

The report was withdrawn at the request of Mr. Callan.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 431. (With emergency clause)

A bill for an Act relating to revenue; to authorize the governing body of any political subdivision to fund its general indebtedness; to authorize the issuance of funding bonds not to exceed an amount lawfully owing and unpaid upon its registered warrants and judgments plus accrued interest; to provide for the maximum rate of interest the bonds shall bear; to provide the manner in which such bonds shall be issued; to provide for the levy of an annual tax for the payment of interest and principal on such bonds; to authorize and empower any city of the first class having a population of more than five thousand and less than twenty-five thousand inhabitants, city of the second class or village in the state of Nebraska to borrow money with which to pay judgments against their respective municipalities and accrued interest thereon and to redeem outstanding warrants of such city or village, as the case may be; to issue the municipality's promissory note or notes therefor; to provide for the repayment of money so borrowed; to prescribe terms, provisions, conditions and limitations upon the exercise of the power so to borrow; to provide that the provisions of Sections 7 to 11, inclusive of this Act shall be construed as supplemental to and cumulative with existing charter powers of said municipalities on the same subject; to provide that Sections 1 to 6, inclusive, of this Act shall not be construed as a limitation on the powers conferred upon municipalities in Sections 7 to 11, inclusive, therein; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with emergency clause attached?' "

Voting in the affirmative, 34:

Adams, E. A.
Adams, J. Jr.
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Johnson
Johnston
Klaver
Mekota
Miller
Mischke
Murphy
Neubauer
Peterson
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Van Diest
Von Seggern

Voting in the negative, 0.

Not voting, 9:

Ashmore
Diers
Howard
Lambert
Mueller
Norman
Reavis
Tvrdik
Westley

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement for Journal

Mr. President: Had I been present, I would have voted aye on L. B. No. 431. (Signed) Tvrdik.

Request to Withdraw Amendment

Mr. President: I ask unanimous consent to instruct the Enrollment and Review Committee to strike the Specific amendment made to L. B. No. 372 June 5, 1939. (Signed) Gutoski, Gantz.

No objection was raised. So ordered.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL NO. 521. Correctly reengrossed.

LEGISLATIVE BILL NO. 372. Correctly reengrossed.

(Signed) Craven, Chairman

Member Excused

Mr. Craven was excused from the session on June 6th.

Adjournment

At 5:46 p. m. Mr. Gutoski moved that the rules be suspended and that the Legislature adjourn until 8:00 a. m. Tuesday.

The motion prevailed with 35 ayes, no nays, 8 not voting.

Hugo F. Srb,
Clerk of the Legislature

ONE-HUNDRED TENTH DAY

Legislative Chamber,
Lincoln, Nebraska, June 6, 1939.

The Legislature met at 8:05 a. m. Speaker Diers presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present except Mr. Craven who was excused.

The Journal for the One-hundred Ninth Day was approved.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 12. (With emergency clause)

A bill for an Act relating to motor vehicle fuels, containing ten per cent or more of Ethyl alcohol which has been processed in Nebraska from farm crops grown in the continental United States; to exempt from taxation except taxation for social security, the sale, distribution or use of said motor vehicle fuels containing Ethyl alcohol, as aforesaid, both for use and used in operating tractors, combines, stationary engines, pumps, machinery or motors, or both for use and used for any purpose other than operating or propelling motor vehicles on public roads, state highways, streets or alleys; to provide penalties for the violation thereof; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 27:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brodecky
Callan
Carlson
Doyle
Gantz
Garber
Gross
Hastings
Herrick
Johnson
Johnston
Lambert
Mekota
Miller
Mueller
Neubauer
Reavis
Reed
Rossiter
Schultz
Sorrell
Thornton
Von Seggern
Westley

Voting in the negative, 10:

Brady
Diers
Dunn
Gutoski
Klaver
Mischke
Norman
Peterson
Thomas
Tvrdik

Not voting, 6:

Carsten
Craven
Hall
Howard
Murphy
Van Diest

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause.

Vote on L. B. No. 12 with Emergency Clause Stricken:

Voting in the affirmative, 27:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brodecky
Callan
Carlson
Doyle
Gantz
Garber
Gross
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Mekota
Miller
Mueller
Neubauer
Reavis
Reed
Rossiter
Schultz
Sorrell
Thornton
Von Seggern

Voting in the negative, 10:

Brady
Diers
Dunn
Gutoski
Klaver
Mischke
Norman
Peterson
Thomas
Tvrdik

Not voting, 6:

Carsten
Craven
Lambert
Murphy
Van Diest
Westley

A constitutional majority having voted in the affirmative, the bill was declared passed with the emergency clause stricken.

LEGISLATIVE BILL NO. 198. (With emergency clause)

A bill for an Act to amend Secs. 8-209 and 8-212 b, Comp. St. Supp., 1937, relating to trust companies; to provide rules and regulations governing and controlling national banks acting as such fiduciaries; to provide for the deposit and withdrawal of cash or securities by said banks while commencing to act or while acting in a fiduciary capacity; to repeal said original sections; to repeal Sec. 8-212 a, Comp. St. Supp., 1937; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Adams, E. A.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 2:

Adams, J. Jr.
Craven

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 409.

A bill for an Act to amend Sec. 37-204, Comp. St. Supp., 1937, relating to game and fish; to prescribe the amount of permit fees to be paid to the state of Nebraska for hunting, fishing, hunting and fishing, trapping or otherwise taking raccoons with or without dogs; and to repeal said original sections.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'shall the bill pass?' "

Voting in the affirmative, 29:

Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Doyle
Dunn
Gantz
Garber
Gross
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Miller
Mueller
Peterson
Reavis
Reed
Rossiter
Sorrell
Thomas
Thornton
Van Diest
Von Seggern
Westley

Voting in the negative, 7:

Gutoski
Hall
Hastings
Mekota
Neubauer
Schultz
Tvrdik

Not voting, 7:

Adams, E. A.
Adams, J. Jr.
Craven
Diers
Mischke
Murphy
Norman

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Statement for Journal.

Mr. President: Had I been present, I would have voted "aye" on L. B. No. 409. (Signed) Ernest A. Adams.

Mr. President: Had I been present, I would have voted "aye" on L. B. No. 409. (Signed) John Adams, Jr.

LEGISLATIVE BILL NO. 1.

A bill for an Act to amend Sec. 66-306, Comp. St. Supp., 1937, relating to motor vehicle fuels and specifications thereof; to provide rules and regulations governing and controlling the sale or offer for sale of motor vehicle fuel which contains not less than five per cent of Ethyl alcohol; to prescribe the quality of gasoline that shall be used or employed in the preparation of said blended motor vehicle fuel; to provide a validity clause; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'shall the bill pass?'"

A call of the House was ordered and raised fifteen times.

Voting in the affirmative, 21:

Adams, E. A.
Adams, J. Jr.
Brodecky
Callan
Carlson
Carsten
Doyle
Garber
Gross
Hastings
Herrick
Johnson
Johnston
Klaver
Mekota
Mueller
Neubauer
Reed
Sorrell
Von Seggern
Westley

Voting in the negative, 21:

Ashmore
Brady
Diers
Dunn
Gantz
Gutoski
Hall
Howard
Lambert
Miller
Mischke
Murphy
Norman
Peterson
Reavis
Rossiter
Schultz
Thomas
Thornton
Tvrdik
Van Diest

Not voting, 1:

Craven

A constitutional majority having failed to vote in the affirmative, the bill failed of passage.

Statement for Journal.

Mr. President: While I agree one hundred per cent with the principles involved in L. B. No. 1, in that farm products might be made into Ethyl alcohol, I feel this bill is unworkable and its constitutionality seriously questioned, therefore I vote "no." (Signed) Miller.

LEGISLATIVE BILL NO. 374.

A bill for an Act to amend Sections 14-1028, 14-1103 and 14-1104, Compiled Statutes of Nebraska, 1929, relating to metropolitan water districts and metropolitan utilities districts in cities of the metropolitan class; to empower the board of directors of said districts to make rules and regulations as to the use, installation and maintenance of piping, equipment and appliances on the premises of consumers, in the interest of public health and safety; to provide that said rules and regulations, when adopted, published and posted shall have the same force and effect as a city ordinance; to empower the board of directors of such metropolitan utilities districts to employ such quantity of natural gas in connection with the manufacture of water gas as is necessary to increase the heating value of the manufactured gas to eight hundred British Thermal Units; to grant the board of directors of said metropolitan utilities districts, by resolution, authority to borrow money in case of emergency, the amount so borrowed not to exceed five hundred thousand dollars at any one time; and to repeal said original sections.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'shall the bill pass?' "

Voting in the affirmative, 27:

Adams, E. A.
Ashmore
Callan
Diers
Doyle
Dunn
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Klaver
Lambert
Miller
Mischke
Murphy
Peterson
Reed
Rossiter
Sorrell
Thomas
Thornton
Von Seggern
Westley

Voting in the negative, 7:

Adams, J. Jr.
Brady
Brodecky
Carlson
Gantz
Reavis
Tvrdik

Not voting, 9:

Carsten
Craven
Johnston
Mekota
Mueller
Neubauer
Norman
Schultz
Van Diest

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Statement for Journal.

Mr. President: L. B. 374 gives Metropolitan Utilities Board too much authority to make rules concerning equipment and appliances on premises of consumers which may be detrimental to other retailers. It gives authority to borrow too much money. It defeats the will of the people by forcing upon them a 75 per cent mixture of natural gas.

(Signed) John Adams, Jr.
Charles F. Tvrdik

LEGISLATIVE BILL NO. 92. (With emergency clause)

A bill for an Act relating to public lands and buildings; to cede jurisdiction to the United States over the Fort McPherson National Cemetery, in Lincoln County, Nebraska; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 39:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Neubauer
Norman
Peterson
Reavis
Rossiter
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 4:

Craven
Murphy
Reed
Schultz

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 207. (With emergency clause)

A bill for an Act relating to municipal corporations, having a population of less than twenty-five thousand inhabitants; to empower their local governing bodies to accept by donation money or property for the uses and purposes of sinking funds hereinafter established; to provide for the levy of an annual tax of not to exceed one mill in any one year over a term not exceeding ten years for the purpose of establishing a sinking fund or sinking funds for the construction, purchase, improvement, extension, original equipment or repair, not including maintenance, of any one or more of the following improvements: Municipal library, municipal auditorium or community house for social and recreational purposes, city or village hall,-municipal public library, auditorium or community house in a single building,-municipal jail, municipal building to house equipment or personnel of the fire department, municipal park, municipal cemetery or municipal hospital; to provide that said tax shall not be levied and said sinking fund or sinking funds shall not be established unless a majority or more of the legal votes of such city or village voting on the proposition at a general municipal election authorize the establishment of said sinking fund or funds; to provide for the investment of said sinking fund or sinking funds as they shall accumulate; to prescribe procedure to change the use or uses for which any sinking fund was originally dedicated; to amend Sec. 16-702, Comp. St. Supp., 1937, as amended by Section 5, Legislative Bill No. 14, Fifty-third Session, Nebraska State Legislature, 1939; to amend Sec. 17-567, Comp. St. Supp., 1937, as amended by Section 21, Legislative Bill No. 14, Fifty-third Session, Nebraska State Legislature, 1939; to repeal said original sections as amended; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Adams, E. A.
Callan
Carlson
Carsten
Diers
Doyle
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 2:

Ashmore
Brady

Not voting, 7:

Adams, J. Jr.
Brodecky
Craven
Garber
Herrick
Mueller
Murphy

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 231. (With emergency clause)

A bill for an Act to amend Secs. 77-2534, 77-2535 and 77-2508, Comp. St. Supp., 1937, relating to deposits of public funds; to authorize treasurers of school districts, municipal universities and townships to deposit in banks, funds received or held by them, as such treasurers; to prescribe the condition under which such deposits may be made by such treasurers; to limit the liability of such treasurers and their sureties by reason of such deposits; to provide that United States government guaranteed bonds or notes or bonds or notes of governmental agencies shall be deemed to be eligible securities which depositories of county funds may substitute in lieu of the requisite depository bond for safe keeping of said county moneys; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Carlson
Carsten
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 1:

Hastings

Not voting, 5:

Callan
Craven
Diers
Mueller
Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

STANDING COMMITTEE REPORT

Enrollment and Review

Correctly Enrolled

L. B. No. 198
L. B. No. 12
L. B. No. 409

(Signed) Craven, Chairman.

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

L. B. No. 198
L. B. No. 12
L. B. No. 409

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 202. (With emergency clause)

A bill for an Act relating to the egg industry; to amend Secs. 81-1028, 81-1029, 81-1030, 81-1031, 81-1032 and 81-1033, Comp. St. Supp., 1937; to repeal said original sections; to require employees of the Department of Agriculture and Inspection charged with supervision of this Act to have required qualifications; to define terms used herein; to provide for candling of eggs bought for resale, consignment, processing or storage, placing of certificate of such candling record on each case, and the providing of proper place in which to keep such eggs; to provide for securing permit and payment of fee therefor for each person engaged in the commerce of buying eggs; to provide for candlers' licenses; to provide for candling of eggs brought into the state of Nebraska from states that have no candling law or do not require certificate of candling; to provide a penalty for violation of this Act; to provide for inspection by the Department of Agriculture and Inspection; to provide a validity clause; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

A call of the House was ordered.

The call was raised.

Voting in the affirmative, 29:

Adams, E. A.
Adams, J. Jr.
Brady
Brodecky
Carsten
Craven
Diers
Doyle
Dunn
Garber
Gross
Gutoski
Hastings
Howard
Johnson
Johnston
Klaver
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Tvrdik
Van Diest
Von Seggern

Voting in the negative, 9:

Ashmore
Callan
Hall
Herrick
Lambert
Mekota
Murphy
Thornton
Westley

Not voting, 5:

Carlson
Gantz
Miller
Mischke
Mueller

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 212. (With emergency clause)

A bill for an Act relating to agriculture; to provide for the conduct of Agricultural Extension Work in the several counties of the state of Nebraska; to provide for cooperation with state and federal agencies in said work; to provide procedure for creating or abolishing the appropriations of county funds for the administration of said activity; to repeal Secs. 2-1110, 2-1111, 2-1112, 2-1113, 2-1114, 2-1115, 2-1116 and 2-1117, Comp. St. Supp., 1937; to provide a validity clause; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Craven
Diers
Doyle
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 4:

Carsten
Garber
Reavis
Reed

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 520. (With emergency clause)

A bill for an Act to provide for the payment of the salaries of the officers of the Nebraska state government for the biennium ending June 30, 1941; to prescribe conditions for payment thereof; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 2:

Reavis
Reed

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISATIVE BILL NO. 148.

A bill for an Act relating to motor vehicles; to impose equalization fees upon said motor vehicles, as defined by the laws of this state operating on the public highways therein, propelled by any motor burning fuel not subject to the motor vehicle tax laws of this state; to fix and determine the amount of such equalization fees for the various types of motor vehicles; to provide for the amount, method of payment, collection and distribution of said fees; to direct the Department of Roads and Irrigation to design a license plate to identify said vehicles; and to provide penalties for the violation thereof.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'shall the bill pass?' "

Voting in the affirmative, 40:

Adams, E. A.
Adams, J. Jr.
Doyle
Dunn
Johnson
Klaver
Peterson
Rossiter

Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 3:

Johnston
Reavis
Reed

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 120. (With emergency clause)

A bill for an Act relating to unfair competition and local discrimination; to make certain unfair discriminatory practices unlawful; to define the duties of the attorney general with respect thereto; to declare certain contracts illegal and forbid recovery thereon; to provide penalties for the violation thereof; to repeal Secs. 59-510, 59-511, 59-512, 59-513, 59-514, 59-515, 59-516, 59-517, 59-518, 59-519, 59-520, 59-521 and 59-522, Comp. St. Supp., 1937; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Peterson
Reavis
Reed
Rossiter
Thomas
Thornton
Tvrdik
Van Diest
Westley

Voting in the negative, 0.

Not voting, 7:

Brodecky
Garber
Johnson
Norman
Schultz
Sorrell
Von Seggern

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL NO. 206.

A bill for an Act relating to highways and bridges; to provide for the pre-qualification of bidders on contracts for the construction, reconstruction and improvement of roads, bridges and their appurtenances to be let by the Department of Roads and Irrigation; to provide for the payment of the cost of reproductions of plans furnished by the Department of Roads and Irrigation by any person requesting the same; to amend Sections 39-1425 and 39-1505, Compiled Statutes of Nebraska, 1929; and to repeal said original sections.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'shall the bill pass?' "

Voting in the affirmative, 26:

Adams, E. A.
Adams, J. Jr.
Brodecky
Callan
Carlson
Diers
Dunn
Gantz
Gross
Gutoski
Hall
Herrick
Howard
Johnson
Lambert
Mekota
Miller
Mischke
Murphy
Peterson
Reavis
Reed
Rossiter
Thomas
Tvrdik
Westley

Voting in the negative, 10:

Ashmore
Brady
Carsten
Doyle
Hastings
Klaver
Mueller
Sorrell
Thornton
Von Seggern

Not voting, 7:

Craven
Garber
Johnston
Neubauer
Norman
Schultz
Van Diest

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL NO. 441. (With emergency clause)

A bill for an Act to amend Section 19-406, Compiled Statutes of Nebraska, 1929, relating to municipal corporations; to provide that in cities that shall have adopted the commission form of government, polls at any primary election held therein shall open at eight o'clock A. M. and shall close at eight o'clock P. M.; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 42:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 1:

Garber

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

President Johnson presiding.

LEGISLATIVE BILL NO. 296. (With emergency clause)

A bill for an Act to amend Section 16-219, Compiled Statutes of Nebraska, 1929, relating to municipal corporations; to provide that the local governing body of cities of the first class having a population of more than five thousand inhabitants and less than twenty-five thousand inhabitants, may classify the several offices and positions of trust or employment in the public service on the basis of merit through such agency as said local governing body shall provide for that purpose; to provide that the foregoing classification of said offices and positions in the public service shall not be effective except upon approval by a majority of the electors of said city voting upon said proposition; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 31:

Adams, E. A.
Adams, J. Jr.
Brady
Brodecky
Craven
Diers
Doyle
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Herrick
Johnson
Johnston
Klaver
Lambert
Miller
Mischke
Neubauer
Norman
Peterson
Reed
Schultz
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern
Westley

Voting in the negative, 7:

Callan
Carlson
Carsten
Garber
Mueller
Murphy
Sorrell

Not voting, 5:

Ashmore
Howard
Mekota
Reavis
Rossiter

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

STANDING COMMITTEE REPORT

Enrollment and Review

Correctly Enrolled

L. B. No. 207 L. B. No. 431 L. B. No. 374 L. B. No. 92

(Signed) Craven, Chairman.

Recess

At 11:58 a. m. on motion by Mr. Gross the Legislature recessed until 2:00 p. m.

After Recess

The Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present except Mr. Schultz.

PETITIONS AND MEMORIALS

Upon request by Mr. Gross a resolution, addressed to the Legislature, was read asking that L. B. No. 350 be enacted into law.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 207 L. B. No. 431 L. B. No. 374 L. B. No. 92

RESOLUTIONS

MOTION—To Reconsider and Expunge from Record

Mr. President: I move that Legislative Resolution No. 40, found in the Legislative Journal for the One-hundred Eighth Day be reconsidered and expunged from the record. (Signed) Garber.

The President put the question; "Shall the Legislature reconsider its action on Legislative Resolution No. 40?"

The vote thereon was 32 ayes, no nays, 11 not voting.

On the question, "Shall the resolution be adopted" the motion was lost.

On the question, "Shall the Resolution be expunged from the record", the motion prevailed.

So ordered.

LEGISLATIVE RESOLUTION NO. 44. Vacancies Legislative Council.

Introduced by Doyle of Greeley

Resolution

Pertaining to the Declaration of the Existence of Vacancies in the Office of Members of the Legislative Council in Certain Cases

Preamble

WHEREAS, the spirit and intent of Article 5, Chapter 50, Comp. St. Supp., 1937, as amended, which establishes a Legislative Council for this Legislature and regulates its activities and functions, contemplates that Council's fact-finding, program-shaping and policy-making duties and responsibilities shall at all times be carried on by legislators solely from the standpoint of legislators, and

WHEREAS, it will prove fatal to any constructive legislative program which said Council expects to formulate for the next Legislature if candidates for state or national offices be permitted or allowed to project their said candidacies for state or national offices while sitting as legislative councilmen, and

WHEREAS, any legislative councilman who becomes a "lame duck" member of the council by virtue of his defeat at the April, 1940 primaries for the office of member of the Legislature should, in the interest of good government, withdraw from any participation whatsoever in the work of the Legislative Council, since said "lame ducks" can never become legislators at the next regular legislative session, and

WHEREAS, the Legislative Council has been granted full power to fill vacancies which may occur in its membership in proper cases,

NOW THEREFORE BE IT RESOLVED BY THE FIFTY-THIRD SESSION OF THE NEBRASKA STATE LEGISLATURE IN REGULAR SESSION ASSEMBLED:

1. That it is the sense of this Legislature that its Legislative Council adopt the policy of declaring automatically and forthwith the existence of a vacancy in the office of any legislative councilman if and when either of the following conditions with respect to the political status of said councilman shall happen or occur:

a. If said councilman shall become a candidate for any state or national office, except for the office of member of the Nebraska State Legislature; or

b. If said councilman shall become a "lame duck" member of said legislative council by reason of the fact that, as a candidate for the office of member of the Nebraska State Legislature, he shall have been defeated as a candidate therefor at the April, 1940 primary election.

2. That this resolution be spread at large upon the Journal of this Legislature; and that the Clerk of the Legislature be directed forthwith to forward a copy thereof, properly authenticated and suitably engrossed, to the secretary of the Legislative Council for its guidance during the 1939-1941 biennium.

The resolution was laid over one day.

STANDING COMMITTEE REPORT

Enrollment and Review

Correctly Enrolled

L. B. No. 120　　L. B. No. 520　　L. B. No. 231

L. B. No. 441	L. B. No. 202	L. B. No. 206
L. B. No. 148	L. B. No. 296	L. B. No. 212

(Signed)Craven, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 120	L. B. No. 520	L. B. No. 231
L. B. No. 441	L. B. No. 202	L. B. No. 206
L. B. No. 148	L. B. No. 296	L. B. No. 212

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL NO. 224. (With emergency clause)

A bill for an Act to amend Secs. 39-1036 and 60-307, Comp. St. Supp., 1937, relating to motor vehicles: to require buses carrying passengers for hire, school buses carrying any child or children or vehicles carrying explosive substances or inflammable liquids, to stop before crossing at grade any track or tracks of a railroad; to provide specifications for signal stop lamps to be required of each vehicle; to prescribe specifications for number plates to be displayed on the several types of motor vehicles on and after January 1, 1940; to repeal said original sections; to repeal Sections 60-501 and 60-502, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Adams, J. Jr.
Ashmore
Brady
Brodecky
Callan
Carlson
Doyle
Dunn
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Johnston
Klaver
Lambert
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Sorrell
Thomas
Thornton
Van Diest
Von Seggern
Westley

Voting in the negative, 2:

Gantz
Tvrdik

Not voting, 7:

Adams, E. A.
Carsten
Craven
Diers
Garber
Mekota
Schultz

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Explanation of Vote

Mr. President: I vote "no" on L. B. No. 224 because it repeals the present law requiring all trucks to stop before crossing railroad crossings, and confines it to only certain classes of trucks and buses. (Signed) Gantz.

LEGISLATIVE BILL NO. 336. (With emergency clause)

A bill for an Act to provide procedure for the organization and operation of rural fire protection districts; to provide for the establishment and officers of such districts; to provide for making and collection of tax levies upon assessable properties in such districts; to provide for borrowing money and limit the amount thereof; to provide for contracting or consolidation with other districts or municipalities; to provide a validity clause; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Callan
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Johnson
Klaver
Lambert
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Rossiter
Sorrell
Thomas
Thornton
Tvrdik
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 7:

Brodecky
Carlson
Garber
Johnston
Mekota
Schultz
Van Diest

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement for Journal.

Mr. President: Had I been present I would have voted yes on L. B. No. 336. (Signed) Brodecky.

LEGISLATIVE BILL NO. 350. (With emergency clause)

A bill for an Act to amend Secs. 39-1034 and 39-1035, Comp. St. Supp., 1937, relating to regulations of the road and its use for travel; to provide that a truck or a trailer shall be construed to be one vehicle for the purpose of determining lengths; to provide that a truck, a tractor and semi-trailer, or a trailer shall be construed to be one vehicle for the purpose of registration; to provide that a tractor and semi-trailer when combined shall not exceed a total length of forty-two feet inclusive of front and rear bumpers and including load; to provide that no tractor and semi-trailer and load shall weigh in excess of forty thousand pounds; to repeal said original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

A call of the House was ordered.

The call was raised.

Voting in the affirmative, 21:

Adams, E. A.
Brady
Brodecky
Craven
Doyle
Dunn
Gross
Gutoski
Hall
Hastings
Johnson
Johnston
Lambert
Mekota
Miller
Mueller
Neubauer
Rossiter
Sorrell
Thornton
Von Seggern

Voting in the negative, 13.

Adams, J. Jr.
Ashmore
Gantz
Garber
Norman
Reavis
Thomas
Tvrdik

Callan
Murphy
Reed
Westley
Carlson

Not voting, 9:

Carsten
Diers
Herrick
Howard
Klaver
Mischke
Peterson
Schultz
Van Diest

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause.

Vote on L. B. No. 350 With Emergency Clause Stricken:

Voting in the affirmative, 22:

Adams, E. A.
Brady
Craven
Doyle
Dunn
Gross
Gutoski
Hall
Hastings
Howard
Johnson
Johnston
Lambert
Mekota
Miller
Mueller
Neubauer
Rossiter
Sorrell
Thornton
Van Diest
Von Seggern

Voting in the negative, 17:

Adams, J. Jr.
Ashmore
Brodecky
Callan
Carlson
Gantz
Garber
Herrick
Klaver
Mischke
Norman
Peterson
Reavis
Reed
Thomas
Tvrdik
Westley

Not voting, 4:

Carsten
Diers
Murphy
Schultz

A constitutional majority having voted in the affirmative, the bill was declared passed with the emergency clause stricken.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for Approval

Tuesday, June 6, 1939 at 8:20 a. m.

L. B. No. 523
L. B. No. 408
L. B. No. 390
L. B. No. 86

Tuesday, June 6, 1939 at 10:55 a. m.

L. B. No. 409	L. B. No. 12
L. B. No. 198	

(Signed) Craven, Chairman.

Approved by Governor

June 5, 1939

To the Members of the Legislature:

Gentlemen:

I have been directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bill: L. B. 522.

Respectfully submitted,
(Signed) Otho K. De Vilbiss
Secretary to the Governor

Message from the Governor

June 6th, 1939

To the Members of the Legislature:

Gentlemen:

I am returning herewith legislative bill 282 without my approval for the following reasons:

This bill seeks to take authority from the executive branch of the government, directly responsible to the people, and vest it in an independent board removed from the control of the people.

This bill has to do with a long established activity, the bureau of animal industry. In case it became a law, it would be a step toward the conditions that prevailed a quarter of a century ago when our state government was administered almost entirely by a multiplicity of boards and bureaus.

In my message to your honorable body on January 5th, I said: "I invite your study and I pledge my cooperation to the end that we refrain from adopting any new agencies and that we abolish or curtail the activities of any bureau of government, if possible. Certainly we should halt any tendency in the direction of further increases either in the number of bureaus or in the activities of existing bureaus."

Criticism of the growth of governmental bureaus is unanimous and such criticism is sound. It is unfortunately true, however, that many people, while condemning a practice in general, find it difficult to give this principal practical application when it involves an activity in which they are interested. I cannot approve the practice of condemning bureaus and boards by individuals who insist upon their own bureaus and boards.

The general purposes of this bill can be accomplished under existing law, unless defeated by the restrictive provisions written into the general appropriation bill with respect to the bureau of animal industry. In this connection, it would have been well had the legislature shown consideration for our livestock industry equal to that shown the commercial aviation interests.

As another example of inconsistency in policy, the legislature has imposed a limitation in the general appropriation bill which may seriously interfere with the efficient operation of the bureau of animal industry by placing a considerably reduced limitation on the salary of the state veterinarian, a salary on a scale lower than that fixed by the legislature for its own employees. On the other hand, this bill would give a board not responsible directly to the people the power to fix the salary of the state veterinarian without limitation.

The fundamental objective of this measure is to promote the interest of our livestock industry through control and eradication of animal diseases. I am in hearty accord with this aim and it is the intention of the administration to accomplish this insofar as appropriations permit.

Respectfully submitted,

(Signed) R. L. Cochran
Governor

STANDING COMMITTEE REPORT

Enrollment and Review

Correctly Enrolled

L. B. No. 221 L. B. No. 336

L. B. No. 224 L. B. No. 350

(Signed) Craven, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. No. 221	L. B. No. 336
L. B. No. 224	L. B. No. 350

MOTION—To Pay Employee

Mr. President: I move that Henry Remington be paid for his services during the entire session of the Legislature. Craven

The motion prevailed.

Adjournment

At 3:53 p. m. Mr. Dunn moved to suspend the rules and adjourn until 7:00 a. m. Wednesday.

The motion was lost with 21 ayes, 12 nays, 9 not voting.

At 3:55 p. m. Mr. Carlson moved to suspend the rules and adjourn until 8:00 a. m. Wednesday.

The motion was lost with 26 ayes, 5 nays, 12 not voting.

At 3:56 p. m. Mr. Doyle moved to adjourn.

The motion was lost with 11 ayes, 19 nays, 3 not voting.

At 3:58 p. m. Mr. Gross moved to suspend the rules and adjourn until 12:05 a. m. Wednesday.

The motion was lost with 15 ayes, 10 nays, 18 not voting.

At 4:00 p. m. Mr. Dunn moved to suspend the rules and adjourn until 7:30 a. m. Wednesday.

At 4:02 p. m. Mr. Neubauer moved to amend the Dunn motion to read 8:30 a. m. Wednesday.

The Neubauer amendment was adopted and the Dunn motion, as amended, prevailed with 32 ayes, 3 nays, 8 not voting.

Hugo F. Srb,
Clerk of the Legislature

ONE-HUNDRED ELEVENTH DAY

Legislative Chamber,
Lincoln, Nebraska, June 7, 1939.

The Legislature met at 8:40 a. m. President Johnson presiding.

The Chaplain led the Legislature in prayer.

The roll was called and all members were present.

The Journal for the One-hundred Tenth Day was approved as corrected.

Communications

A letter was read from W. M. Whittington, Chairman of the Committee on Flood Control of the national House of Representatives, acknowledging receipt of a copy of L. R. No. 31; and a letter from Mrs. Frank C. Rundle acknowledging receipt of the resolution respecting the memory of her late husband.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for Approval

Monday, June 5, 1939 at 9:00 a. m.

Legislative Bill No. 282.

Tuesday, June 6, 1939 at 3:00 p. m.

L. B. No. 520
L. B. No. 441
L. B. No. 231
L. B. No. 212
L. B. No. 202
L. B. No. 148

L. B. No. 431	L. B. No. 207	L. B. No. 120
L. B. No. 374	L. B. No. 206	L. B. No. 92
L. B. No. 296		

Tuesday, June 6, 1939 at 4:20 p. m.

L. B. No. 350 L. B. No. 336 L. B. No. 221 L. B. No. 224

(Signed) Craven, Chairman.

Message from the Governor

June 6th, 1939.

To the Members of the Legislature:

Gentlemen:

I am returning herewith legislative bill No. 86 without my approval for the following reasons:

This measure is referred to by its own terms as the unfair trades practice act. While it purports to be in the public welfare and for the protection of the public, its effect is directly to the contrary. The act is not designed to protect competition but to protect those who compete. The test applied by this act is not whether sale below cost plus six per cent injures the public but whether it is "unfair" to competitors.

The Junkin Act passed in 1905 had been on the statute books thirty-two years when it was repealed two years ago. During this time it provided for prosecution of those who entered into any contract, combination or conspiracy for the purpose of driving out of business a competitor by selling an article or product at less than its fair market value. This act provided that anyone guilty of violating it would be liable to a maximum fine of $5000 or a year's imprisonment, or both. It seems to me that under this act, competitors in business were given all of the legal protection necessary, having in mind the general welfare, without setting up a definite formula for doing business under which a merchant might be harrassed while serving the public welfare. This was the settled public policy of the state for many years, and I believe it points a satisfactory course for the future.

Many proposals have been made to this legislature for government control or regulation of various lines of business. All of these measures are alike fundamentally. It is merely a question of degree of control sought to be exercised. With but two exceptions, the legislature defeated all such proposals. This measure is the second of its kind to meet legislative approval and executive disapproval. In addition to the reasons I have given, this disapproval is based on a firm belief that there should be equality before the law and that privilege denied one group should not be granted to another.

When I disapproved of the so-called barber bill, I was standing for a sound principle of government, applicable to all, and which the legislature abandoned in the passage of these two measures. This principle calls for freedom of enterprise, unhampered by governmental control as much as possible consistent with the public welfare.

Respectfully submitted,

(Signed) R. L. Cochran
Governor

BILLS ON THIRD READING

LEGISLATIVE BILL NO. 372. The bill was read on the One-hundred Eighth Day.

On the One-hundred Ninth Day the Legislature voted to reconsider its action.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 33:

Adams, E. A.
Ashmore
Brodecky
Callan
Carlson
Carsten
Craven
Diers
Doyle
Dunn
Gantz
Garber
Gross
Gutoski
Hall
Hastings
Howard
Johnston
Klaver
Lambert
Miller
Murphy
Neubauer
Norman
Peterson
Reavis
Reed
Schultz
Thomas
Thornton
Tvrdik
Van Diest
Von Seggern

Voting in the negative, 7:

Brady
Johnson
Mekota
Mischke
Mueller
Rossiter
Westley

Not voting, 3:

Adams, J. Jr.
Herrick
Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL NO. 372. Correctly enrolled.
(Signed) Craven, Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the president signed:

Legislative Bill No. 372.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL NO. 521. (With emergency clause)

A bill for an Act making appropriations for the state government of the state of Nebraska for the biennium beginning July 1, 1939 and ending June 30, 1941; prescribing conditions for the determination of the levy of state taxes for the state general fund; specifically to appropriate for the immediate needs of the State Assistance Fund and certain other funds for the remainder of the biennium ending June 30, 1939; reciting limits and conditions on the expenditure of funds from the appropriations so made; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Adams, E. A.
Adams, J. Jr.
Ashmore
Brady
Brodecky
Carsten
Craven
Garber
Gross
Gutoski
Hall
Hastings
Herrick
Howard
Mekota
Miller
Mischke
Mueller
Murphy
Neubauer
Norman
Rossiter
Schultz
Sorrell
Thomas
Thornton
Tvrdik
Van Diest

Diers
Doyle
Dunn
Gantz
Johnson
Johnston
Klaver
Lambert
Peterson
Reavis
Reed
Von Seggern
Westley

Voting in the negative, 0.

Not voting, 2: Callan Carlson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement for Journal.

Mr. President: Had I been present, I would have voted "aye" on L. B. No. 521. (Signed) Callan.

Mr. President: Had I been present, I would have voted "aye" on L. B. No. 521. (Signed) Carlson.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for Approval

Wednesday, June 7, 1939 at 9:15 a. m.

Legislative Bill No. 372.

Correctly Enrolled

Legislative Bill No. 521.

(Signed) Craven, Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill No. 521.

RESOLUTIONS

LEGISLATIVE RESOLUTION NO. 44. Mr. Doyle moved that the resolution be adopted.

The motion was lost with 7 ayes, 24 nays, 12 not voting.

LEGISLATIVE RESOLUTION NO. 45. Appreciation to Mr. Lundy.

Introduced by Van Diest of Loup.

Expressing the Appreciation of this Legislature for the De Luxe Service and Thoughtfulness Rendered by the Honorable J. W. "Bill" Lundy, Director of Information, Nebraska State Capitol.

Preamble

WHEREAS, the one and only inimitable Honorable J. W. "Bill" Lundy, Director of Information, Nebraska State Capitol, under the direction of the capitol custodian, renders valuable service to the state of Nebraska in general in extending cordial greetings both to citizens of Nebraska and to visitors from the four points of the compass who take opportunity to visit and observe the wonder and beauty of the Nebraska State Capitol every day in the year, and

WHEREAS, this Legislature is particularly indebted to the Honorable J. W. "Bill" Lundy for the special service which he has rendered each of us by escorting, either in person or through his assistant guide Grant Reed, our constituents to Legislative Hall throughout this session, particularly twelve hundred ninety pupils and sponsors of sixty-seven schools and delegations during the month of March, 1939, NOW THEREFORE

BE IT RESOLVED BY THE NEBRASKA STATE LEGISLATURE IN FIFTY-THIRD REGULAR SESSION ASSEMBLED:

1. That this Legislature, on the eve of adjournment, through this resolution takes opportunity to express to the Honorable J. W. "Bill" Lundy its appreciation and recognition of the par excellent and thoughtful service which he has rendered to us and to our constituents throughout the present session.

2. That this resolution be spread at large upon the Legislative Journal; and that the Clerk of this Legislature be directed forthwith to forward a copy of this resolution, properly authenticated and suitably engrossed to the Honorable J. W. "Bill" Lundy to the end that he may know that the service which he renders the state in general and which he has rendered this Legislature in particular will not pass unnoticed.

The resolution was adopted.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for Approval

Wednesday, June 7, 1939 at 10:10 a. m.

Legislative Bill No. 521.

(Signed) Craven, Chairman.

Recess

At 10:45 a. m. the President declared a recess to give the members of the Legislative Council an opportunity to hold an organization meeting.

After Recess

The Legislature reconvened at 11:10 a. m. President Johnson presiding.

The roll was called and all members were present.

Speaker Diers presiding.

REPORT—Legislative Council

Mr. Hall reported that the Legislative Council had met and elected Amos Thomas to serve as chairman for the ensuing biennium.

Mr. Thomas announced the Council would be pleased to receive suggestions for research and study from any of the members of the Legislature, and that the next meeting would probably be held in September, the exact date to be announced later.

REPORT—Committee on Legislative Administration

Mr. President: Your Committee on Legislative Administration begs leave to submit the following:

The bids called for by the State Purchasing Agent were very carefully examined and the printing awarded as follows:

Legislative Journals	The State Journal Company
Legislative Bills	The State Journal Company

Session Laws	Cornhusker Printing Company
Rosters	George Brothers
Letterheads	Cornhusker Printing Company
Envelopes for Bill Room	Jay Worley; Burkley Envelope & Printing Company
Motions and Reports	Graham & Son
Roll Calls	A B Printing Company
Docket	Cornhusker Printing Company

(Signed) Carsten, Chairman.

Vote of Thanks

Mr. President: I move that a rising vote of thanks be extended to our Lieutenant Governor, William Edward Johnson, for the fair and impartial manner in which he has presided over the Legislature and the expeditious manner with which he has dispatched the business of the Legislature. (Signed) John Adams, Jr.

The motion prevailed.

Vote of Thanks

Mr. President: I move that a vote of thanks be given to the newspapers of the state and the press associations for the accurateness and fairness in giving to the people word pictures of the activities of this session of the Legislature. (Signed) Norman.

The motion prevailed.

Vote of Thanks

Mr. President: I move that this body express its thanks and appreciation to the broadcasting stations for broadcasting our actions to the citizens of the state. (Signed) Mischke.

The motion prevailed.

Vote of Thanks

Mr. President: I move that a rising vote of thanks be extended to the Lieutenant Governor, Nate Parsons, for the impartial manner in which he opened and presided over the organization of the Fifty-third Session of the Nebraska Legislature. (Signed) Rossiter.

The motion prevailed.

Group Picture

Mr. President: I move that Dr. Condra be requested and authorized to place a group picture of the members of the Fifty-third Session over the mantle in the lounge and that the Legislature express its appreciation. (Signed) Neubauer.

The motion prevailed.

President Johnson presiding.

MOTION—To Furnish Session Laws

Mr. President: I move that the Clerk of the Supreme Court be instructed to furnish to the office of the Clerk of the Legislature a set of all available session laws. (Signed) Carsten.

The motion prevailed.

MOTION—To Express Appreciation

Mr. President: I move that we, the members of the Fifty-third Session of the Nebraska Legislature, express our appreciation for the faithful conduct and courteous manner in which all of the elective officers of the Legislature and the employees of the Legislature have performed their duties during this session, and that this motion be spread upon the records of the Legislature. (Signed) Brodecky.

The motion prevailed.

MOTION—Bills Passed

Mr. President: I move that the Clerk be directed to send to each member of the Legislature a file of the bills passed, as soon as printed, and that the expense in so doing be paid out of the Incidental Expense Appropriation. (Signed) Thornton.

The motion prevailed.

Vote of Thanks

Mr. President: I move that a vote of thanks be extended to the Speaker, William H. Diers, for the fair, impartial and courteous manner in which he has discharged his duties as Speaker during the Fifty-third Session of the Legislature. (Signed) Hastings.

The motion prevailed.

MOTION—To Send Legislative Journals

Mr. President: I move that the Clerk of the Legislature be instructed to send to each member of the Legislature, and to each authorized member of the Press assigned to the Legislature for the Fifty-third Legislative Session, a copy of the permanent Legislative Journal of the Fifty-third Legislative Session, when completed; and that the proper officers of the Legislature be authorized to issue vouchers against the fund provided for incidental expenses of the Fifty-third Session of the Nebraska Legislature in payment of necessary postage or express and necessary wrapping material for sending said Legislative Journals to members of the Legislature and that the Press and the members of the Legislature be allowed to keep their Statutes and Supplement. (Signed) Peterson.

The motion prevailed.

MOTION—To Approve Action of Committee

Mr. President: I move that the Legislature approve the action of the Committee on Legislative Administration regarding the printing of the permanent Legislative Journal by the State Journal Company and the permanent Session Laws by the Cornhusker Printing Company. (Signed) Reavis.

The motion prevailed.

MOTION—To Furnish Compiled Supplement

Mr. President: I move that the Clerk of the Legislature be instructed to send to each member of the Legislature a copy of the Compiled Supplement of 1939. (Signed) Johnson.

The motion prevailed.

MOTION—To Retain Help

Mr. President: I move that the Clerk of the Legislature be directed to retain such help as may be required to check the bills, supplies, Legislative Chamber furniture, and otherwise complete the business of the office for the Fifty-third Session of the Legislature. (Signed) Klaver.

The motion prevailed.

MOTION—To Appoint Committee to Notify Governor

Mr. President: I move that a committee of five be appointed to wait upon the Governor to advise him that the Legislature has completed its work and is ready to ajourn and ask him if he has any further message for the Legislature. (Signed) Tvrdik.

The motion prevailed and the President appointed the following members to serve on said committee:

Diers Gross Westley Howard Lambert

The Committee appointed to notify the Governor retired and the Legislature was at ease for fifteen minutes.

The Legislature was called to order.

REPORT—Committee to Notify Governor

Mr. President: Your Committee has reported to the Governor that this Legislature is ready to adjourn and we convey a message of appreciation from the Governor for the fine work done by this Legislature; and the Governor wishes good luck to all. Diers.

Approved by Governor

June 7th, 1939.

To the Members of the Legislature:

Gentlemen:

I have been directed by His Excellency, Governor R. L. Cochran, to inform your honorable body that he has this day approved the following bill:

L. B. No. 12.

Respectfully submitted,
(Signed) Otho K. De Vilbiss
Secretary to the Governor

MOTION—To Contract for Legislative Journals

Mr. President: I move that the Clerk of the Legislature be instructed to ask the Purchasing Department to make a contract for printing five hundred Legislative Journals. (Signed) Carlson.

The motion prevailed.

MOTION—To File Bills with Clerk

Mr. President: I move that the chairman of each standing committee be requested to file with the Clerk of the Legislature any bills and standing committee records remaining in his possession, so that a proper record may be made of the final disposition of such bills. (Signed) Sorrell.

The motion prevailed.

MOTION—To Present Flags

Mr. President: I move that as evidence of our sincere appreciation of our presiding officers, for the fair and impartial performance of their duties, we obtain a flag like the one hanging at the right of the President's chair and present one of said flags to Lieutenant Governor, William Edward Johnson, and one to Speaker William H. Diers. (Signed) Hall.

Mr. Thomas put the motion for the president.

The motion prevailed.

MOTION—To Present Gavel

Mr. President: I move that the Lieutenant Governor, William Edward Johnson, be presented with the gavel used during the Fifty-third Session of the Legislature of Nebraska. (Signed) Ashmore.

Speaker Diers put the motion for the president.

The motion prevailed.

MOTION—To Deliver Flag

Mr. President: I move that the flag displayed on the staff above the legislative chamber be delivered to the State Historical Society to be kept permanently. (Signed) Herrick.

The motion prevailed.

Expression of Appreciation

A letter was read from Reverend Leonard L. Chambers expressing sincere appreciation to the President and members of the Legislature for the courtesies shown to him as Chaplain during the session.

Expression of Appreciation

Mr. President: The elective officers and employees of the Fifty-third Session of the Nebraska Legislature, through the Clerk, desire to express their appreciation for the many courtesies extended to them by the members of the Legislature. (Signed) Hugo F. Srb, Clerk.

MOTION—To Approve Journal for One-hundred Eleventh Day

Mr. President: I move that the Legislative Journal for the One-hundred Eleventh Day be approved as prepared by the Clerk. (Signed) Von Seggern.

The motion prevailed.

President Johnson addressed the Legislature briefly.

Adjournment

Mr. President: I move that the Fifty-third Session of the Legislature of Nebraska, having finished all business before it, now (11:59 a. m.) adjourn sine die. (Signed) Schultz.

The motion prevailed and the President declared the Fifty-third Session of the Legislature of Nebraska adjourned sine die.

Hugo F. Srb,
Clerk of the Legislature

CERTIFICATE

I, Hugo F. Srb, Clerk of the Legislature, hereby certify that the foregoing is a true and correct copy of the Legislative Journal of the Fifty-third Session of the Legislature of the State of Nebraska convening and held in the city of Lincoln, State of Nebraska, January 3, 1939 to June 7, 1939.

(Signed) Hugo F. Srb
Clerk of the Legislature

VETO MESSAGE

The following message from the Governor was delivered to the Secretary of State after adjournment of the Legislature:

LEGISLATIVE BILL NO. 352

June 10th, 1939.

Honorable Harry R. Swanson
Secretary of State,
State House,
Lincoln, Nebraska.

Dear Mr. Swanson:

I am transmitting herewith legislative bill 352 without my approval for the following reasons.

This bill provides for raising from one hundred thousand dollars to three hundred thousand dollars the limitation on bond issues that can be voted for the purpose of constructing city halls, jails, auditorium buildings in the cities between five thousand and twenty-five thousand population.

In my opinion we should not make it easier to create bonded indebtedness on the part of the local subdivisions of government, rather we should make it more difficult. Particularly is this true when due to reduced valuation of property, increased levies are necessary to finance existing bond issues as well as increased levies in many cases for operating expenses of municipal government.

This course is in keeping with the trend the local subdivisions of government have been pursuing in reducing their bonded indebtedness to keep within the ability of the taxpayers to pay.

Respectfully submitted,

(Signed) R. L. COCHRAN,
Governor.

BECAME LAW WITHOUT APPROVAL

The following message from the Governor was delivered to the Secretary of State after adjournment of the Legislature:

LEGISLATIVE BILL NO. 350

June 14th, 1939.

Honorable Harry R. Swanson
Secretary of State,
State House,
Lincoln, Nebraska.

Dear Mr. Swanson:

I am transmitting herewith L. B. 350 which I have permitted to become a law without my signature.

It provides for an increase from 32,000 pounds to 40,000 pounds in the weight limit for trucks and semi-trailers. It likewise permits a twenty per cent increase in the length of trucks and semi-trailers from thirty-five feet to forty-two feet.

With reference to the increase in the weight limitation, there is considerable merit in this provision, which corrects an inconsistency in our present law. The present law provides for a 16,000 pounds gross load limit on each axle, with, however, a limit of 32,000 pounds on the total weight of vehicles, including load, these provisions being for a tractor and semi-trailer as well as for a truck. In the case of tractor and semi-trailer the inconsistency is obvious because the law makes no allowance for the weight of the tractor.

With reference to the increase in the length limitation from thirty-five to forty-two feet, I question the wisdom of so great an increase from the standpoint of highway safety. I take this opportunity to suggest the subject of limitation of truck lengths for study and recommendations by the legislative council. I wish to call attention to the tendency toward increasing the maximum length of motor vehicles. It is entirely possible that the next session of the legislature may wish to give this problem further study and attention.

This bill contains desirable features, as well as features of questionable value. It is for this reason, therefore, that I am permitting it to become a law without my signature.

Respectfully submitted,

(Signed) R. L. COCHRAN,
Governor.

LEGISLATIVE BILLS

Approved After Adjournment

The following Legislative Bills were approved by the Governor after adjournment of the Legislature:

June 8, 1939

Legislative Bill No. 92
Legislative Bill No. 148
Legislative Bill No. 198
Legislative Bill No. 207
Legislative Bill No. 212
Legislative Bill No. 224
Legislative Bill No. 231
Legislative Bill No. 296
Legislative Bill No. 336
Legislative Bill No. 374
Legislative Bill No. 390
Legislative Bill No. 408
Legislative Bill No. 409
Legislative Bill No. 431
Legislative Bill No. 441
Legislative Bill No. 520
Legislative Bill No. 521
Legislative Bill No. 523

June 10, 1939

Legislative Bill No. 120
Legislative Bill No. 206
Legislative Bill No. 221
Legislative Bill No. 326
Legislative Bill No. 372

June 12, 1939

Legislative Bill No. 202

LEGISLATIVE BILLS ENACTED INTO LAW

Fifty-third Session

L. B. No.	2	Hastings and Carlson. Relating to motor carriers engaged in intrastate commerce.
L. B. No.	3	Carlson et al. Relating to motor vehicle regulations.
L. B. No.	7	Committee on Appropriations. Appropriation for salaries of members of the Legislature.
L. B. No.	8	Committee on Appropriations. Appropriation for Salaries of employees, mileage of members and incidental expenses of Legislature.
L. B. No.	9	Dunn et al. Relating to salary of jury commissioner.
L. B. No.	11	Callan. Relating to commissions of executors and administrators.
L. B. No.	12	Neubauer et al. Exempting from taxation motor vehicle fuels containing Ethyl alcohol.
L. B. No.	13	Committee on Appropriations. Reappropriating gasoline highway fund to the state assistance fund.
L. B. No.	14	Klaver et al. Relating to delinquent real and personal property tax.
L. B. No.	15	Doyle. Relating to emergency tax for unemployed and indigent persons.
L. B. No.	18	Schultz. Appropriation for benefit of Lillian Irene Smoyer.
L. B. No.	19	Schultz. Appropriation for benefit of Ina F. Wathen.
L. B. No.	22	Craven. Relating to appeals from district court.
L. B. No.	23	Ashmore et al. Relating to annual levy of taxes by county boards.
L. B. No.	24	Ashmore et al. Relating to the issuance of county warrants.
L. B. No.	25	Ashmore et al. Prescribing form of county warrants.
L. B. No.	26	Ashmore et al. Amending County Budget Act of 1937.
L. B. No.	27	Mekota. Relating to conveyances of real estate.
L. B. No.	28	Tvrdik. Prescribing fishing regulations.
L. B. No.	30	Von Seggern et al. Constitutional amendment relating to county and township officers.

L. B. No. 31	Diers. Relating to township supervisors.
L. B. No. 33	Reed et al. Regulating the dairy industry.
L. B. No. 34	Mekota. Relating to internal improvement bonds.
L. B. No. 35	Reavis. Relating to salaries of clerks of district courts.
L. B. No. 39	Dunn. Relating to notices in receivership proceedings.
L. B. No. 40	Thomas. Uniform Limited Partnership Act.
L. B. No. 41	Tvrdik et al. Relating to board of education in metropolitan cities.
L. B. No. 42	Dunn. Relating to investment of trust funds.
L. B. No. 43	Dunn et al. Relating to duties of county assessors.
L. B. No. 44	Dunn and John Adams, Jr. Allocation of unemployment compensation fund.
L. B. No. 47	Sorrell. Relating to threshers' liens.
L. B. No. 52	Dunn. Relating to liquors and exemption from tax.
L. B. No. 53	Carsten et al. Appropriation to pay tuition for children of soldiers, sailors and marines.
L. B. No. 59	Schultz et al. Relating to special occupation tax imposed for benefit of volunteer fire departments.
L. B. No. 64	Lambert. Relating to refunding of municipal warrants.
L. B. No. 66	Johnson. Qualifications for trustees of educational institutions.
L. B. No. 72	Johnson. Relating to marathons and public nuisances.
L. B. No. 76	Tvrdik. Relating to labor on public works.
L. B. No. 77	Dunn and Craven. Relating to powers of executors in fraudulent conveyances.
L. B. No. 78	Gutoski et al. Relating to members' liability in assessment insurance companies.
L. B. No. 79	Ernest A. Adams. Relating to prizes in and branding of food products.
L. B. No. 85	Committee on Banking, Commerce and Insurance. Relating to stockholders' liability in banking corporations.
L. B. No. 92	Herrick. Ceding jurisdiction of Fort MacPherson National Cemetery.
L. B. No. 93	Thomas. Relating to contents of notice of incorporation.
L. B. No. 100	Carsten et al. Relating to purchase of intrastate toll bridges.
L. B. No. 104	Rossiter et al. Regulating the practice of pharmacy.
L. B. No. 106	Committee on Judiciary. Relating to statements of corporations.
L. B. No. 109	Tvrdik. Regulating use of licenses by manufacturers and motor vehicle dealers.
L. B. No. 111	Ashmore. Motor vehicle regulations.
L. B. No. 120	Craven. Relating to unfair competition and local discrimination.
L. B. No. 124	Tvrdik et al. Regulating itinerant merchants.

L. B. No. 127	Peterson and Dunn. Providing for compilation of the cumulative supplement to the statutes.
L. B. No. 129	Norman et al. Creating and regulating health districts.
L. B. No. 130	Norman et al. Relating to tax levies for cities of the metropolitan class.
L. B. No. 131	Norman et al. Providing annual county tax levy including maximum for health district.
L. B. No. 132	Gutoski and Tvrdik. Establishing uniform inventory statements to county clerks.
L. B. No. 138	Committee on Agriculture. Relating to federal aid in wildlife-restoration projects.
L. B. No. 139	Committee on Education. Relating to course of study in public schools.
L. B. No. 140	Committee on Education. Relating to entrance requirements of the University of Nebraska.
L. B. No. 148	Gutoski and Howard. Relating to motor vehicle equalization fee.
L. B. No. 164	Committee on Appropriations. Appropriation for premiums on bonds for state treasurer's office.
L. B. No. 168	Mekota. Relating to public power and public power and irrigation districts.
L. B. No. 170	Thornton and Miller. Relating to franchise of public power and public power and irrigation districts.
L. B. No. 172	Committee on Judiciary. Relating to uniform court procedure.
L. B. No. 173	Reavis. Appropriation for Joe Murray.
L. B. No. 174	Gantz. Relating to nuisances in cities of the first class.
L. B. No. 175	Mischke. Providing for the suppression and eradication of anthrax.
L. B. No. 179	Committee on Education. Constitutional amendment relating to board of educational lands and funds.
L. B. No. 180	Ashmore et al. Relating to game and fish; including trapping of beaver.
L. B. No. 192	Howard et al. Relating to water rights compact with Colorado.
L. B. No. 198	Rossiter. Relating to national banks acting in fiduciary capacity.
L. B. No. 202	Brodecky and Dunn. Regulating the egg industry.
L. B. No. 203	Brodecky. Authorizing executors and guardians to borrow money and pledge personal property.
L. B. No. 205	Johnson and Westley. Establishing game refuge, Dodge and Saunders Counties.
L. B. No. 206	Reavis. Relating to contracts for public roads and bridges.
L. B. No. 207	Mekota. Relating to general improvement and sinking funds for certain cities and villages.

L. B. No. 212	Neubauer and Van Diest. Relating to county agricultural extension work.
L. B. No. 214	Johnson. Relating to valuation of taxable property.
L. B. No. 221	Peterson et al. Relating to title and transfer of motor vehicles.
L. B. No. 224	Howard and Murphy. Providing rules and regulations for motor vehicles.
L. B. No. 231	Van Diest. Relating to deposit of public funds.
L. B. No. 235	John Adams, Jr. and Klaver. Allocation of gasoline tax fund.
L. B. No. 240	Rossiter. Relating to hog cholera serum.
L. B. No. 264	Dunn. Relating to administration of delinquent tax payments.
L. B. No. 270	Dunn. Relating to assistance for dependent children.
L. B. No. 272	Reed and Van Diest. Relating to eradication of Bang's disease.
L. B. No. 296	Hall. Relating to merit system in certain cities.
L. B. No. 299	Gantz. Relating to leases for oil, gas and other natural resources by fiduciaries.
L. B. No. 300	Gantz. Relating to oil, gas and other natural resources and escheats.
L. B. No. 301	Gantz. Relating to lessee's obligations under oil, gas and mineral leases.
L. B. No. 304	Johnson. Relating to building and loan stock held by minors.
L. B. No. 307	Brady. Relating to the transfer of the bureau of securities.
L. B. No. 315	Herrick. Relating to county high schools.
L. B. No. 326	Miller. Relating to Legislative Council and Nebraska Legislative Reference Bureau.
L. B. No. 327	Miller. Relating to the duties of the secretary of state.
L. B. No. 331	Miller. Creating division of motor fuels.
L. B. No. 336	Brodecky et al. Relating to rural fire protection districts.
L. B. No. 338	Rossiter and Schultz. Relating to rules and regulations for state assistance.
L. B. No. 344	Westley et al. Regulating the manufacture and sale of frozen desserts.
L. B. No. 350	Doyle. Relating to highway regulations for vehicles.
L. B. No. 351	Doyle. Relating to assistance to needy blind persons.
L. B. No. 362	John Adams, Jr. Relating to agreements and wage assignments.
L. B. No. 372	Gutoski. Relating to grand and petit jurors.
L. B. No. 374	Klaver et al. Regulating public utilities in metropolitan cities.
L. B. No. 389	Doyle. Relating to assistance.

L. B. No. 390	Doyle. Allocation of state assistance fund.
L. B. No. 400	Carlson. County emergency levy for 1939.
L. B. No. 408	Committee on Judiciary. Relating to elections.
L. B. No. 409	Mueller et al. Relating to game and fish.
L. B. No. 410	Thomas. Relating to outstanding warrants and judgments against counties.
L. B. No. 417	Ernest A. Adams. Relating to the cancellation of liquor revenue stamps.
L. B. No. 420	Von Seggern. Appropriation for Jerome J. Brazda.
L. B. No. 429	Rossiter et al. Allocation of state assistance fund.
L. B. No. 431	Hall. Relating to municipal funding bonds.
L. B. No. 441	Carsten. Relating to primary elections in cities under commission form of government.
L. B. No. 447	Dunn. Relating to Unemployment Compensation Act.
L. B. No. 460	Committee on Appropriations. Providing for a caretaker at Milford Soldiers' and Sailors' Home.
L. B. No. 461	Committee on Appropriations. Transfer of soldiers and sailors from Milford to Grand Island.
L. B. No. 465	Callan. Relating to transportation of pupils attending public schools.
L. B. No. 471	Thomas and Diers. Creating Nebraska Advertising Commission.
L. B. No. 483	Garber. Relating to tax on motor vehicle fuels.
L. B. No. 487	Tvrdik et al. Relating to schools in metropolitan cities.
L. B. No. 488	Committee on Appropriations. Appropriation for Lincoln State Hospital.
L. B. No. 489	Committee on Appropriations. Relating to the Nebraska state-use system of prison employment fund.
L. B. No. 490	Miller. Appropriation for legislative insurance investigation.
L. B. No. 491	Committee on Education. Relating to duties of school district officers.
L. B. No. 492	Committee on Appropriations. Relating to gallonage tax on alcoholic liquors.
L. B. No. 493	Committee on Appropriations. Reappropriating unexpended balances for assistance service.
L. B. No. 494	Committee on Appropriations. Appropriation for state assistance fund and allocation thereof.
L. B. No. 515	Committee on Appropriations. Relating to the custody and identification of public property.
L. B. No. 516	Committee on Appropriations. Appropriation for salaries of employees, mileage of members and incidental expenses of Legislature.
L. B. No. 517	Committee on Claims and Deficiencies. Appropriation for miscellaneous claims (approved in part).

L. B. No. 518	Callan. Appropriation for bureau of food, drugs and Oil.
L. B. No. 519	Committee on Appropriations. Appropriation for the state assistance revolving fund.
L. B. No. 520	Committee on Appropriations. Appropriation for salaries of state officers.
L. B. No. 521	Committee on Appropriations. Appropriation for state government.
L. B. No. 522	Committee on Appropriations. Appropriation for salaries of employees, mileage of members and incidental expenses of Legislature.
L. B. No. 523	Committee on Appropriations. Appropriating ten per cent of special fee fund to general fund.

LEGISLATIVE BILLS

By Introducers*

ERNEST A. ADAMS

65	Life insurance on minors.
79	Premiums in food packages.
123	Motor vehicle licenses of dealers.
417	Liquor revenue stamps.
426	Group insurance

L. B. 23, 24, 25, 26, 30, 41, 53, 78, 86, 89, 100, 104, 129, 130, 131, 134, 146, 147, 152, 219, 232, 233, 259, 297, 370, 388, 399, 413, 473, 474, 475, 480, 487, with others.

JOHN ADAMS, JR.

126	Omaha board of education.
161	Assistance for blind.
162	Dependent children.
163	Assistance for aged.
356	Intrastate buses and trucks.
362	Assignment of wages.
371	Regulation of liquor dealers.
411	Election of Omaha board of education.
412	Insurance policies.
448	State employment service.

L. B. 1, 30, 44, 67, 89, 124, 125, 129, 130, 131, 232, 233, 235, 241, 242, 243, 388, 399, 429, 450, with others.

HUGH B. ASHMORE

111	Speed limit of motor vehicles.

L. B. 3, 23, 24, 25, 26, 135, 180, 192, 199, 309, 458, 499, 500, 501, 502, 503, 504, 505, 506, 510, 511, 512, 513, 514, with others.

FRANK J. BRADY

107	Bonds of school district treasurers.
283	Brands.

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*A list of bills having more than one introducer follows this list.

307 Consolidation of insurance and banking departments.
308 Consolidation of labor department and workmen's compensation court.

L. B. 134, 313, 355, 407, 425, 458, 472, with others.

EMIL E. BRODECKY

203 Borrowing money on estates.
204 Sale of chicks.
321 Bonds of milk dealers.

L. B. 1, 61, 67, 94, 100, 134, 158, 202, 336, 433, with others.

JOHN S. CALLAN

11 Commissions of executors of estates.
87 Head tax.
176 Waterworks and gas plants.
465 Transportation of pupils.
478 Children in boarding homes.
518 Bureau of food, drugs and oil.

L. B. 3, 5, 37, 152, 499, 500, 501, 502, 503, 504, 505, 506, 510, 511, 512, 513, 514, with others.

SWAN CARLSON

115 County clerk as custodian of surveys.
116 County surveyor.
117 Surveyor of board of educational lands and funds.
215 Registration of trailers.
400 County budget.

L. B. 1, 2, 3, 10, 12, 23, 24, 25, 26, 33, 152, 397, 416, 433, with others.

FRED L. CARSTEN

276 Right of eminent domain of power districts.
277 Soil conservation districts.
278 County extension boards.
435 Co-operative credit associations.
441 Municipal elections.

L. B. 1, 12, 51, 53, 100, 104, 137, 152, 336, 484, with others.

GEORGE I. CRAVEN

22 Undertakings on appeal.
29 Electric power districts.
57 Actions against insurers.

58 Pensions of firemen.
120 Unfair competition in trade.
121 Registration of motor vehicles of non-residents.
182 Bulk sales.
208 Permits for coon hunting.
246 Causes of action.
247 Taxation of electric power districts.
248 Contractual liability of married women.
249 Judgment rendered in municipal court.
250 Election of county commissioners.
251 Judge of municipal court.
252 Damages for injuries.
253 Cancelled motor vehicle licenses.
254 Adjournment of causes.
255 Permits for use of motor vehicles.
267 Joinder of defendants.
268 New trial.
316 Bureau of dairies, foods and drugs.
343 Claims for workmen's compensation.
349 Designation of parties to action.

L. B. 9, 16, 43, 61, 77, 141, 262, 263, 310, 313, 406, 409, 427, 430, 454, 455, 456, 475, with others.

W. H. DIERS

31 Township supervisors.
178 Soldiers' and sailors' homes.
287 Licenses of grain dealers.
288 Head tax.

L. B. 37, 86, 104, 105, 110, 119, 289, 324, 332, 355, 377, 407, 471, 472, 499, 500, 501, 502, 503, 504, 505, 506, 510, 511, 512, 513, 514, with others.

JOHN F. DOYLE

15 Tax levy for poor relief.
62 Township libraries.
88 Ice cream.
136 Licenses for plumbers.
187 Billboard advertising.
188 Insurance on trucks
189 County purchasing.
194 Speed limit for motor vehicles.
227 Sale of bonds of indebtedness.
228 Plumbing code.
229 Inspection of motor vehicles.

348 Rural mail routes.
350 Permits for use of motor vehicles.
351 Assistance for blind.
389 Old age assistance.
390 Allocation of assistance fund.
403 Expenditure of assistance fund.
449 Bureau of securities.
451 Blind assistance board.
452 Head tax.
466 Mothers' pensions.

L. B. 1, 3, 12, 33, 74, 134, 137, 141, 152, 155, 344, 409, 423, 450, 456, with others.

LESTER L. DUNN

39 Notice of appointment of receiver.
42 Wards of United States veterans' bureau.
52 Tax on wine.
73 State railway commission.
112 Itinerant merchants.
113 Bond of register of deeds.
114 Bond of cashier of county treasurer.
217 Abandoned funds in banks.
238 Qualifications for administrators of state assistance.
260 Hail insurance companies.
261 Posted price of motor vehicle fuels.
264 Payment of delinquent taxes.
265 Assistance for blind.
266 Certificates of deposit.
270 Assistance for dependent children.
271 Unemployment compensation.
279 Workmen's compensation.
280 Building and loan associations.
281 Insurance agents.
401 Fire insurance companies.
415 Right of Helen O'Connor to sue state.
445 Workmen's compensation benefits.
446 Hotels.
447 Unemployment compensation.
507 Non-profit hospital service corporations.

L. B. 9, 14, 16, 43, 44, 61, 77, 86, 90, 104, 127, 134, 150, 160, 186, 202, 262, 263, 330, 409, 427, 443, 454, with others.

HARRY E. GANTZ

68 County high schools.
101 Sites for school buildings.

102 Transportation of pupils.
174 Nuisances in cities.
209 Chattel mortgages.
210 Precinct assessors.
299, 300, 301 Oil and gas leases.
319 Registration fees on farm trucks.
320 Interference with radio reception.
340 Instruments affecting real estate.
428 Breaking and entering.

L. B. 30, 32, 53, 59, 83, 84, 86, 104, 150, 152, 171, 180, 221, 309, 318, 324, 332, 377, 458, with others.

DANIEL GARBER

63 County fairs.
80 Defining motor vehicle fuels.
142 Renewals of motor vehicle registration.
184 Proposed state highway.
378 Precinct assessors.
483 Motor vehicle fuels.

L. B. 12, 23, 24, 25, 26, 33, 38, 152, 416, with others.

GEORGE B. GROSS

82 Estates of foreign residents.
97, 98 Delinquent personal taxes on estates.
99 Delinquent taxes paid by guardians.
444 Practice of chiropractic.

L. B. 83, 84, 134, 152, 180, 192, 222, 282, 309, 312, with others.

PETER P. GUTOSKI

128 Licenses for sale of liquor in Douglas county.
149 Registration of motor vehicles.
230 Purchasing agent in Douglas county.
372 Grand jurors.
463 One house legislature.

L. B. 23, 24, 25, 26, 30, 41, 67, 78, 89, 90, 91, 100, 124, 129, 130, 131, 132, 148, 152, 160, 232, 233, 369, 370, 382, 388, 396, 399, 413, 455, 475, with others.

LELAND R. HALL

193 Foreclosure of mortgages.
201 Township supervisors.

213 Liquidation of banks.
256 School buses.
257 Reports of banks.
293 Debts due estates.
294 Rates for electric energy.
295 Loans by banks.
296 Merit system for municipal employees.
431 Funding bonds.
453 Election boards.
459 Political conventions.

L. B. 5, 14, 59, 61, 78, 86, 94, 104, 146, 147, 152, 221, 259, 314, 416, with others.

JAY HASTINGS

95, 96 Electrical wiring.
216 Road overseers.
274 Bank deposits and credits.
290 Water commissioners.
291 Ballots of absent voters.

L. B. 1, 2, 3, 5, 10, 12, 23, 24, 25, 26, 33, 38, 51, 55, 67, 70, 71, 74, 141, 152, 297, 341, 352, 369, 394, 396, 416, 456, with others.

CHARLES R. HERRICK

6 Alcohol blends in motor vehicle fuels.
92 Fort MacPherson national cemetery.
118 Inheritance tax.
154 Relief of Earl Cox and Thomas Bailey.
315 Tax levy for high schools.
317 Bridges over irrigation ditches.
376 Clerk hire for county superintendents.

L. B. 1, 3, 17, 81, 199, 312, 359, with others.

R. M. HOWARD

108 Labor on public works.
191 County superintendents.
306 Taxation of Diesel trucks.
L. B. 3, 37, 104, 119, 135, 148, 152, 180, 192, 224, 273, 282, 309, 312, 334, 377, 423, 433, 484, with others.

RICHARD N. JOHNSON

66 Trustees of colleges.
72 Marathons.

103 Annual statements of guardians.
214 Actual value of property for taxation.
303 Historical records and data.
304 Investments in building and loan associations.
305 Library certification board.
436 Fictitious names.

L. B. 17, 61, 152, 205, 318, 332, 458, with others.

A. M. JOHNSTON

143 Payment and collection of wages.
144, 145 Irrigation.

L. B. 1, 3, 5, 38, 51, 67, 94, 141, 150, 152, 289, 310, 341, 352, 394, 430, with others.

SAM KLAVER

153 Foreclosure of mortgages.
159 Hours of employment for women.
200 Actions against railroad companies.
236 Tax sales of real property.
342 Workmen's compensation.
375 Suits in municipal court.
379 Actions against trucking companies.
380 Radio stations.
381 Actions against insurance companies.
385 Appeal from final order of liquor control commission.
387 Occupation tax on common carriers.
404 Motor vehicle accidents.
405 Assessment of railroad property.
418 Non-resident liquor dealers.
424 Toilet facilities in theaters.

L. B. 14, 23, 24, 25, 26, 30, 89, 119, 124, 125, 130, 141, 152, 181, 232, 233, 235, 373, 374, 388, 399, 429, 456, 473, 474, 477, 484, with others.

TOM LAMBERT

49 License for sale of tobacco.
64 Bonds of indebtedness.
133 Gasoline price signs at service stations.
226 Superintendent of banks.
322 Ports of entry.
323 Bonds of county judges.

L. B. 1, 3, 5, 33, 59, 94, 104, 152, 221, with others.

JOHN E. MEKOTA

27 Deeds to real property.
34 Internal improvement bonds.
168 Public power and irrigation districts.
177 Solicitation of campaign funds.
207 General improvement fund in cities.
353 State fire marshal.
354 Attorneys' fees in filing insurance statements.
497 Municipal cold storage plants.

L. B. 152, 171, 285, 286, 318, 332, with others.

A. L. MILLER

183 Practice of dentistry.
325 Clerk of legislature.
326 Legislative council.
327 Duties of secretary of state.
328 Session laws and legislative journals.
329 State board of higher education.
331 Division of motor fuels.
337 Political campaign expenses.
339 State railway commission.
490 Legislative insurance investigation.

L. B. 12, 17, 55, 61, 70, 71, 74, 104, 150, 169, 170, 312, 324, 333, 359, 416, 433, 458, 499, 500, 501, 502, 503, 504, 505, 506, 510, 511, 512, 513, 514, with others.

MARTIN J. MISCHKE

54 Sheriffs' fees
175 Anthrax.
244 Islands and lands in streams.
298 Rendering establishments.
311 Payment of delinquent taxes.
498 Municipal sales pavilions.

L. B. 3, 5, 12, 74, 155, 433, with others.

FRED A. MUELLER

122 State highway commission.
237 Liens on proceeds of insurance.
391 Formation of electric power districts.
392 Osteopathy.
393, 395 Bonds of state officers.
422 Liquor license fees.

469 Liquor licenses.

L. B. 1, 10, 67, 141, 152, 181, 297, 352, 370, 394, 396, 397, 409, 413, 416, 425, 456, with others.

L. B. MURPHY

185 Public power and irrigation districts.
197 Trucks at railway crossings.
335 Water from Platte river.

L. B. 23, 24, 25, 26, 30, 37, 86, 104, 134, 152, 224, 330, 333, 334, 458, with others.

E. M. NEUBAUER

20 Tax on motion pictures.
21 Motion picture theaters.
60 Delinquent tax list.
398 Imitation butter.
421 Cemeteries.

L. B. 1, 3, 5, 12, 51, 70, 71, 81, 152, 158, 186, 212, 344, 443, 484, with others.

WILLIAM J. NORMAN

L. B. 23, 24, 25, 30, 41, 67, 74, 86, 89, 100, 124, 129, 130, 131, 141, 152, 160, 195, 232, 234, 373, 374, 382, 383, 384, 388, 399, 480, 486, 487, with others.

CARL H. PETERSON

220 Commissioners of insanity.
223 United States rural post roads.
363 Foreign insurance companies.
364 Homesteads.
365 Cooperative companies.
366 Claims against estates of wards.
367 Alcoholic content of liquors.
368 Licenses of liquor dealers.
467 Bonds for municipal power plants.
468 Sale of liquors.
485 Agents of foreign corporations.

L. B. 104, 127, 134, 221, 222, 425, with others.

JOSEPH C. REAVIS

35 Deputy clerk of district court.
36 Property owned by foreign corporations.

151 Liens on grain.
165, 166, 167 Salaries of municipal officers.
173 Relief of Joe Murray.
190 Taxation of public power districts.
206 Contracts for road building.
258 Installment investment companies.
275 Acquisition of public utilities.

L. B. 3, 14, 32, 67, 105, 134, 285, 286, 332, 439, 440, with others.

JAMES E. REED

438 Agricultural statistics.
464 Electricians.
482 Railway repair shops.

L. B. 3, 5, 9, 14, 33, 43, 104, 152, 160, 262, 263, 272, 273, 406, with others.

J. B. ROSSITER

198 National banks as fiduciaries.
240 Hog cholera serum.
357 Transfer of pupils to another school district.

L. B. 33, 78, 83, 84, 91, 104, 146, 147, 152, 314, 338, 370, 429, with others.

EDWIN SCHULTZ

18 Appropriation for Lillian Irene Smoyer.
19 Appropriation for Ina F. Wathen.
50 State highways.
432 Unloading of motor vehicle fuels.

L. B. 3, 5, 59, 104, 134, 155, 336, 338, 359, 370, 396, 416, 433, with others.

FRANK SORRELL

4 Probate proceedings in county court.
45 Civil actions in courts.
46 No fund checks.
47 Liens on grain.
48 Dangerous weapons.
56 Sale of beer.
69 Transportation of motor vehicle fuels.
358 Sale of liquor to minors.
360 Road houses and dance halls.

361 Real estate brokers.
434 Bindweed.
457 Motor vehicle registration certificates.

L. B. 1, 3, 5, 67, 100, 152, 234, 336, 359, with others.

AMOS THOMAS

40 Limited partnerships.
93 Liability of corporations.
156 Political assessments from county employees.
157 Clerks of municipal courts.
402 Bureau of securities.
410 Power of county to borrow money.
437 Charitable and fraternal societies.
442 Accounts of executors.
479 Weights and measures of agricultural products.

L. B. 23, 24, 25, 26, 30, 41, 89, 129, 130, 131, 152, 232, 233, 324, 332, 355, 373, 374, 388, 399, 407, 455, 458, 471, 472, 486, 487, with others.

J. LYNDON THORNTON

284 Fees in probate proceedings.

L. B. 3, 5, 33, 59, 61, 67, 78, 90, 119, 141, 152, 169, 170, 297, 416, 433, 473, 474, 475, with others.

CHARLES F. TVRDIK

28 Fish nets and seines.
76 Contracts for public works.
109 Registration of motor vehicles.
225 Registration fees on trucks.
239 Terms of members of housing authority.
302 Election expenses in Douglas county.
476 Reimbursement of hospitals.
481 Bread.
496 Elections metropolitan cities.

L. B. 23, 24, 25, 26, 30, 41, 67, 86, 89, 100, 104, 124, 129, 130, 131, 132, 152, 160, 195, 219, 232, 233, 234, 241, 242, 243, 373, 374, 382, 383, 384, 388, 399, 413, 473, 474, 475, 480, 487, with others.

A. C. VAN DIEST

196 Vocational school at Broken Bow.
231 Deposit of public funds.

269 Oils, gas and minerals.
345, 346 County surveyor.
347 Subdivision of lands into lots.
470 Assessment of cattle.

L. B. 3, 104, 110, 141, 152, 180, 212, 272, 273, 309, 341, 344, 433, 484, 499, 500, 501, 502, 503, 504, 505, 506, 510, 511, 512, 513, 514, with others.

E. M. VON SEGGERN

292 State board of agriculture.
386 Farm trucks.
420 Relief of Jerome J. Brazda.

L. B. 1, 30, 285, 286, with others.

M. E. WESTLEY

75 Barbers.
414 Bonds of deputy county officers.
419 Instructional motor vehicle permits.

L. B. 1, 3, 10, 33, 59, 61, 74, 94, 104, 152, 158, 205, 344, 439, 440, 477, 484, with others.

LEGISLATIVE BILLS WITH MORE THAN ONE INTRODUCER

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1 Alcohol blends in motor vehicle fuels—Sorrell, Von Seggern, Neubauer, Carsten, Hastings, Johnston, Westley, Doyle, Carlson, Herrick, J. Adams, Brodecky, Mueller.

2 Regulation of motor trucks—Hastings, Carlson.

3 Inspection of motor vehicles—Carlson, Herrick, Lambert, Mischke, Westley, Sorrell, Van Diest, Doyle, Howard, Reed, Hastings, Ashmore, Neubauer, Thornton, Reavis, Schultz, Johnston, Callan.

5 Assessment of real property—Schultz, Johnston, Hastings, Sorrell, Callan, Neubauer, Mischke, Thornton, Lambert, Reed, Hall.

7, 8, 516, 522—Appropriations for Legislature—Committee on Appropriations.

9 Jury commissioner—Dunn, Craven, Reed.

10 Salaries of state officers—Hastings, Westley, Carlson, Mueller.

12 Exemptions from gasoline tax—Neubauer, Hastings, Garber, Miller, Carlson, Mischke, Carsten, Doyle.

13 State assistance fund—Committee on Appropriations.

14 Interest on delinquent taxes—Klaver, Dunn, Reavis, Reed, Hall.

16 Bailiffs in Lancaster county—Craven, Dunn.

17 Towing permits for motor vehicles—Miller, Johnson, Herrick.

23, 24, 25 County budget—Ashmore, Garber, Carlson, Hastings, Thomas, Klaver, E. A. Adams, Gustoski, Tvrdik, Murphy, Norman.

26 County budget—Ashmore, Garber, Carlson, Hastings, Thomas, Klaver, E. A. Adams, Gutoski, Tvrdik, Murphy.

30 Election or appointment of county officers—Von Seggern, Norman, Gantz, Tvrdik, E. A. Adams, Murphy, Klaver, Thomas, J. Adams, Gutoski.

32 Discovery of oil and gas—Gantz, Reavis.

33 Cream stations—Reed, Lambert, Rossiter, Westley, Thornton, Doyle, Garber, Hastings, Carlson.

37 Bread—Callan, Diers, Murphy, Howard.

38 Real estate brokers—Garber, Johnston, Hastings.

41 Board of education in Omaha—Tvrdik, Gutoski, Norman, E. A. Adams, Thomas, J. Adams.

43 Correction of tax lists—Craven, Dunn, Reed.
44 Unemployment compensation—J. Adams, Dunn.
51 Precinct assessors—Carsten, Neubauer, Hastings, Johnston.
53 Tuition of children of soldiers—Carsten, Gantz, E. A. Adams.
55 Legal counsel for state offices—Hastings, Miller.
59 Volunteer fire departments—Schultz, Hall, Thornton, Lambert, Gantz, Westley.
61 Teachers retirement system—Dunn, Thornton, Hall, Miller, Johnson, Craven, Westley, Brodecky.
67 Police civil service commission—Reavis, Gutoski, Thornton, Hastings, Johnston, Brodecky, Tvrdik, Norman, Mueller, Sorrell, J. Adams.
70 Nepotism—Miller, Neubauer, Hastings.
71 Employment of married women—Miller, Neubauer, Hastings.
74 Barber shops—Westley, Doyle, Miller, Hastings, Mischke, Norman.
77 Fraudulent conveyances—Dunn, Craven.
78 Assessment insurance companies—Gutoski, Hall, Thornton, Rossiter, E. A. Adams.
81 Income tax—Herrick, Neubauer.
83, 84 Tax foreclosure proceedings—Gantz, Gross, Rossiter.
85 Stockholders in banks—Committee on Banking, Commerce and Insurance.
86 Unfair trade practices—Diers, Murphy, Hall, E. A. Adams, Tvrdik, Dunn, Norman.
89 Deputy county attorneys—Gutoski, Norman, Tvrdik, Klaver, Thomas, E. A. Adams, J. Adams.
90 Occupation tax on wholesalers—Thornton, Gutoski, Dunn.
91 Judgment notwithstanding verdict—Gutoski, Rossiter.
94 Bond of register of deeds—Hall, Lambert, Westley, Brodecky, Johnston.
100 Intrastate toll bridges—Carsten, Brodecky, Sorrell, E. A. Adams, Norman, Gutoski, Tvrdik.
104 Pharmacy—Rossiter, Hall, Murphy, Diers, Lambert, Peterson, Miller, Van Diest, Tvrdik, Schultz, Westley, Dunn, Gantz, Reed, E. A. Adams, Howard, Carsten.
105 Mortgages on grain—Reavis, Diers.
106 Annual statements of corporations—Committee on Judiciary.
110 No-fund checks—Van Diest, Diers.
119 Publication of school board proceedings—Thornton, Diers, Howard, Klaver.
124 Itinerant merchants—Tvrdik, Norman, Gutoski, J. Adams, Klaver.
125 Board of education in Omaha—Klaver, J. Adams.
127 Compilation of statutes—Peterson, Dunn.
129, 131 Health districts—Norman, Gutoski, Thomas, E. A. Adams, J. Adams, Tvrdik.

130 Health districts—Norman, Gutoski, Thomas, E. A. Adams, J. Adams, Tvrdik, Klaver.
132 Inventory of county property—Gutoski, Tvrdik.
134 Commanding officer of National guard—Reavis, Dunn, Peterson, Gross, Murphy, Schultz, Brodecky, E. A. Adams, Doyle, Brady.
135 Nonpartisan election of local officers—Howard, Ashmore.
137 Salary and duties of county assessors—Carsten, Doyle.
138 Wildlife-restoration projects—Committee on Agriculture.
139 Course of study in grade schools—Committee on Education.
140 Entrance requirements, University of Nebraska—Committee on Education.
141 County assistance boards—Klaver, Craven, Mueller, Hastings, Doyle, Norman, Johnston, Thornton, Van Diest.
146 Investment of funds of estates—E. A. Adams, Rossiter, Hall.
147 Investments of insurance companies—E. A. Adams, Rossiter, Hall.
148 Equalization fees for motor vehicles—Gutoski, Howard.
150 Classified civil service for state—Miller, Gantz, Dunn, Johnston.
152 Examinations for admission to high school—Van Diest, Neubauer, Johnston, Callan, Carsten, Howard, Thomas, Gutoski, Tvrdik, Doyle, Klaver, Mekota, Carlson, Westley, Mueller, Sorrell, Garber, Hastings, E. A. Adams, Reed, Gross, Murphy, Rossiter, Lambert, Hall, Gantz, Thornton, Johnson, Norman.
155 Proposed state highways—Mischke, Doyle, Schultz.
158 Debentures of state board of agriculture—Neubauer, Westley, Brodecky.
160 State printing bids—Norman, Tvrdik, Gutoski, Reed, Dunn.
164 Premium on state treasurer's bond—Committee on Appropriations.
169, 170 Public power districts—Thornton, Miller.
171 Procedure in county courts—Mekota, Gantz.
172 Court procedure—Committee on Judiciary.
179 Superintendent of public instruction—Committee on Education.
180 Beaver—Ashmore, Gross, Van Diest, Howard, Gantz.
181 Osteopathy—Mueller, Klaver.
186 Creditors of insolvent estates—Dunn, Neubauer.
192 Water rights compact—Howard, Ashmore, Gross.
195 Inspection of elevators—Tvrdik, Norman.
199 Proposed state highway—Herrick, Ashmore.
202 Egg industry—Brodecky, Dunn.
205 Game rufuge—Johnson, Westley.
211 Game, Forestation and Parks Commission—Committee on Agriculture.
212 Agricultural extension work—Neubauer, Van Diest.
218 Classification of school districts—Committee on Education.
219 Motor vehicle registration fees—E. A. Adams, Tvrdik.
221 Title to motor vehicles—Peterson, Hall, Gantz, Lambert.
222 Charges or allegations of negligence—Gross, Peterson.

224 Buses and trucks at railway crossings—Howard, Murphy.
232 Elections in Douglas county—Tvrdik, Thomas, E. A. Adams, Norman, J. Adams, Klaver, Gutoski.
233 Election poll sheets—Tvrdik, Thomas, E. A. Adams, J. Adams, Klaver, Gutoski, Norman.
234 Horology—Tvrdik, Norman, Sorrell.
235 Allocation of gasoline tax—J. Adams, Klaver.
241, 242, 243 Housing authorities—J. Adams, Tvrdik.
245 Insurance on employees of Department of Roads and Irrigation—Committee on Claims and Deficiencies.
259 Insurance agents—E. A. Adams, Hall.
262 Workmen's compensation claims—Dunn, Craven, Reed.
263 Inheritance tax—Dunn, Craven, Reed.
272 Bang's disease—Reed, Van Diest.
273 Sewers—Van Diest, Howard, Reed.
282 Livestock sanitary board—Gross, Howard.
285 State sheriff—Von Seggern, Mekota, Reavis.
286 Highway safety patrol—Von Seggern, Mekota, Reavis.
289 Livestock sales rings—Diers, Johnston.
297 Custodian of state capitol—Hastings, Mueller, E. A. Adams, Thornton.
309 Brand inspection commission—Howard, Van Diest, Gross, Gantz, Ashmore.
310 Boundaries of electric power districts—Craven, Johnston.
312 Dormitory at school of agriculture—Herrick, Howard, Gross, Miller.
313 Liquidation of insurance companies—Craven, Brady.
314 Real estate commissioner—Rossiter, Hall.
318 Instruments affecting real estate—Gantz, Johnson, Mekota.
324 Pre-primary conventions—Miller, Diers, Gantz, Thomas.
330 Railroad passes—Murphy, Dunn.
332 Wills—Johnson, Gantz, Diers, Reavis, Mekota, Thomas.
333 Potatoes—Miller, Murphy.
334 Livestock sales rings—Murphy, Howard.
336 Rural fire protection districts—Brodecky, Sorrell, Carsten, Schultz.
338 County assistance committees—Rossiter, Schultz.
341 Bounties on crows—Van Diest, Hastings, Johnston.
344 Frozen desserts—Westley, Neubauer, Van Diest, Doyle.
352 City halls, jails, auditoriums—Johnston, Hastings, Mueller.
355 Assessment of property—Thomas, Brady, Diers.
359 Limitation of taxation—Sorrell, Miller, Herrick, Schultz.
369 Chattel mortgages—Gutoski, Hastings.
370 Division of athletics—Gutoski, Rossiter, E. A. Adams, Mueller, Schultz.
373 Metropolitan utilities district—Klaver, Tvrdik, Thomas, Norman.
374 Metropolitan utilities district—Klaver, Thomas, Norman.

377 Allocation of gasoline tax—Diers, Howard, Gantz.
382 Recommendation of attorneys by local officers—Norman, Tvrdik, Gutoski.
383 Acquisition of electric power plants—Norman, Tvrdik.
384 Examination of jurors—Tvrdik, Norman.
388 Metropolitan utilities district—Tvrdik, Norman, J. Adams, E. A. Adams, Thomas, Gutoski, Klaver.
394 Appointments by governor—Mueller, Hastings, Johnston.
396 Aeronautics commission—Mueller, Schultz, Gutoski, Hastings.
397 Livestock sales rings—Mueller, Carlson.
399 Coroners—Gutoski, Tvrdik, Norman, Klaver, Thomas, J. Adams, E. A. Adams.
406 Insurance contracts by minors—Reed, Craven.
407 Tax levy for state general fund—Thomas, Brady, Diers.
408 Relating to election laws—Committee on Judiciary.
409 Hunting and fishing licenses—Mueller, Doyle, Dunn, Craven.
413 Lieutenant governor—E. A. Adams, Mueller, Tvrdik, Gutoski.
416 State bureau of criminal investigation—Hastings, Mueller, Garber, Miller, Schultz, Thornton, Carlson, Hall.
423 Foreign fraternal insurance associations—Doyle, Howard.
425 Game refuge on Platte river—Brady, Peterson, Mueller.
427 Collective bargaining—Craven, Dunn.
429 Allocation of assistance fund—Rossiter, J. Adams, Klaver.
430 Extension of electric power districts—Johnston, Craven.
433 Optometry—Brodecky, Miller, Carlson, Schultz, Thornton, Van Diest, Mischke, Howard.
439, 440 Airports and aeronautics—Westley, Reavis.
443 Engine crews—Dunn, Neubauer.
450 Fireworks—Doyle, J. Adams.
454 Conditional sales contracts—Craven, Dunn.
455 District judges—Craven, Thomas, Gutoski.
456 Taxation of intangible property—Craven, Klaver, Hastings, Doyle, Mueller.
458 Legislative comptroller—Brady, Johnson, Ashmore, Miller, Gantz, Thomas, Murphy.
460, 461 Soldiers' and Sailors' homes—Committee on Appropriations.
462 Industrial home—Committee on Appropriations.
471 State Advertising Commission—Thomas, Diers.
472 Motor vehicle registration—Thomas, Diers, Brady.
473, 474 Handicapped children—E. A. Adams, Klaver, Tvrdik, Thornton.
475 Labor disputes—Gutoski, Tvrdik, Thornton, Craven, E. A. Adams.
477 Painters and decorators—Klaver, Westley.
480 Board of pardons—E. A. Adams, Tvrdik, Norman.
484 Illegitimate children—Van Diest, Howard, Klaver, Carsten, Neubauer, Westley.

486 School taxes in Omaha—Norman, Thomas.
487 School bonds in Omaha—Tvrdik, E. A. Adams, Norman, Thomas
488 Lincoln State Hospital—Committee on Appropriations.
489 State-use system of prison employment—Committee on Appropriations.
491 Closing certain schools, correspondence instruction—Committee on Education.
492 Liquor tax—Committee on Appropriations.
493 State assistance, unexpended balances—Committee on Appropriations.
494 State assistance fund, limitation—Committee on Appropriations.
495 Highway fund, special appropriation—Howard, Gross.
499 Insurance stock companies, qualifications—Miller, Callan, Van Diest, Ashmore, Diers.
500 Assessment associations—Miller, Callan, Van Diest, Ashmore, Diers.
501 Domestic mutual assessment associations—Miller, Callan, Van Diest, Ashmore, Diers.
502 Reinsurance, consolidation—Miller, Callan, Van Diest, Ashmore, Diers.
503 Insurance agents, brokers—Miller, Callan, Van Diest, Ashmore, Diers.
504 Burial associations—Miller, Callan, Van Diest, Ashmore, Diers.
505 Insurance thrift plan—Miller, Callan, Van Diest, Ashmore, Diers.
506 Process on insurance companies—Miller, Callan, Van Diest, Ashmore, Diers.
508 Deputy tax commissioners—Committee on Revenue.
509 Court of claims—Committee on Claims and Deficiencies.
510 Domestic mutual insurance companies—Miller, Callan, Van Diest, Ashmore, Diers.
511, 514 Blue Sky Law, exceptions—Miller, Callan, Van Diest, Ashmore, Diers.
512, 513 Blue Sky Law, regulations—Miller, Callan, Van Diest, Ashmore, Diers.
515 Public property, identification—Committee on Appropriations.
517 Miscellaneous Claims—Committee on Claims and Deficiencies.
519 State assistance revolving fund—Committee on Appropriations.
520 State officers' salaries—Committee on Appropriations.
521 General appropriation, state government—Committee on Appropriations.
523 Special fee fund—Committee on Appropriations.

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Referred to Committee on

Agriculture

Chairman—E. M. Neubauer

1	Alcohol blend in motor vehicle fuels
33	Cream stations
63	County fairs
138	Wildlife-restoration projects
175	Anthrax
202	Eggs
204	Sale of chicks
205	Game refuge on Platte river
208	Coon hunting permits
211	Marten, skunk and beaver
212	Agricultural extension work
240	Sale of hog cholera serum
272	Bang's disease
277	Soil conservation districts
278	County extension boards
282	Livestock sanitary board
283	Brands
287	Sale and purchase of grain
289	Livestock sales rings
292	State board of agriculture
298	Rendering establishments
309	Brand inspection commission
316	Bureau of dairies, foods and drugs
321	Milk dealers
333	Potatoes
334	Livestock sales rings
341	Bounty on crows
344	Frozen desserts
397	Livestock sales rings
398	Imitation butter
409	Hunting and fishing licenses
425	Game refuge along Platte river
434	Bindweed
438	Agricultural statistics
446	Hotels and inns
479	Weights and measures of agricultural products
481	Bread

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Chairman—Frank J. Brady

7, 8	Appropriations for legislature
13	Appropriations for state assistance fund
53	Tuition for soldiers' children
100	Intrastate toll bridges
164	Premium on state treasurer's bond
178	Soldiers' and sailors' homes
312	Dormitory at school of agriculture
314	Real estate commissioner
390	Allocation of assistance fund
460	Milford state hospital
461	Soldiers' and sailors' homes
462	Industrial home
471	Advertising commission
474	Educational training for handicapped children
488	Building at Lincoln state hospital

489	Prison employment
490	Legislative insurance investigation
493	State assistance, unexpended balances
494	State assistance fund, limitation
516	Appropriation for Legislature
518	Appropriation for bureau of food, drugs and oil
519	State assistance revolving fund
520	State officers' salaries
521	General appropriation, state government
522	Appropriation for Legislature
523	Special fee fund

Banking, Commerce and Insurance

Chairman—Leland R. Hall

2	Regulation of motor busses and trucks
20, 21	Regulation of motion pictures
37	Bread
38	Real estate brokers
65	Insurance on minors
69	Motor vehicle fuels
78	Assessment insurance companies
79	Prizes in food packages
80	Motor vehicle fuels
85	Stockholders in banks
86	Unfair competition in trade
88	Ice cream
106	Annual statements of corporations
112, 124	Itinerant merchants
120	Unfair competition in trade
133	Motor vehicle fuels
146	Investment of funds by estates
147	Investments of domestic insurance companies
188	Insurance on motor carriers
198	National banks as fiduciaries
213	Liquidation of banks
217	Abandoned funds in banks
226	Superintendent of banks
231	Deposit of public funds
257	Reports to department of banking
258	Installment investment companies
259, 281	Insurance agents
260	Hail insurance companies
261	Posted price of motor vehicles
274	Bank deposits and credits
280, 304	Building and loan associations
295	Loans by banks
313	Liquidation of insurance companies
353	State fire marshal
354	Attorneys' fees in insurance cases
365	Cooperative companies
380	Radio stations
381	Attorneys in insurance cases
406	Insurance contracts by minors
412	Insurance policies
423	Foreign fraternal insurance associations
426	Group insurance
435	Cooperative credit associations
436	Fictitious names
468	Advertisement of intoxicating liquors
483	Tax on motor vehicle fuels
499	Insurance stock companies, qualifications

500	Assessment associations
501	Domestic mutual assessment associations
502	Reinsurance, consolidation
503	Insurance agents, brokers
504	Burial associations
505	Insurance thrift plan
506	Process on insurance companies
507	Non-profit hospital service corporations
510	Domestic mutual insurance companies
511, 514	Blue Sky Law, exemptions
512, 513,	Blue Sky Law, regutions

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Chairman—E. A. Adams

18	Relief of Lillian Irene Smoyer
19	Relief of Ina F. Wathen
154	Relief of R. and E. Cox, S. and T. Bailey
173	Relief of Joe Murray
245	Insurance on employes of department of roads and irrigation
415	Right of Helen O'Connor to sue state
420	Relief of Jerome J. Brazda

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Chairman—Edwin Schultz

41, 125, 126	Board of education in Omaha
61	Teachers retirement system
66	Trustees of colleges
68	County high schools
101	School building sites
102	Transportation of pupils
107	School district treasurers
119	Proceedings of school boards
139	Grade school curriculum
140	Entrance requirements, University of Nebraska
152	Admission to high schools by examination
158	Debentures of state board of agriculture
179	Superintendent of public instruction
191	County superintendent
196	Vocational school at Broken Bow
218	Classification of school districts
227	Sale of bonds of indebtedness
244	Islands and lands in streams
269	Oil, gas and mineral leases
315	Tax levy for high schools
329	State board of higher education
357	Transfer of pupils in school districts
411	Election of Omaha board of education
465	Transportation of pupils
473	Training for handicapped children
491	School district officers

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Chairman—E. M. Von Seggern

10	Salaries of state officials
23, 24, 25, 26	County budget
30	Appointment or election of county officers
31	Township supervisors
34	Bonds of indebtedness
43	Tax lists in Lancaster county
49	License for sale of tobacco
54	Fees of sheriffs
55	Legal counsel for state offices
58	Firemen's pension in Lincoln
59	Tax for fire departments
60	Delinquent tax lists
64	Bonds of indebtedness
73	State railway commission
94, 113	Bond of register of deeds
114	Bond of cashier of county treasurer
115	Official records of surveys
116	County surveyor
117	State surveyor
132	Inventory of county property
134	Commanding general of National Guard
135	Nonpartisan election of local officers
150	State classified civil service
160	Bids for state supplies
165, 166, 167	Salaries of municipal officers
174	Nuisances in cities
189	Centralized county purchasing
201	Township supervisors
216	Road overseers
230	Purchasing agent in Douglas county
232	Elections in Douglas county
233	Election poll sheets
238	Civil service for administrators of state assistance
239, 241, 242, 243	Housing authorities
250	Election of county commissioners
285	State sheriff
286	Highway safety patrol
290	Water commissioners
291	Absent voters, ballots
296	Merit system for municipal employes
297	Custodian of capitol
302	Election expenses
307	Insurance and banking departments
308	Labor department and compensation court
320	Interference with radio reception
323	Bonds of county judges
324	Pre-primary conventions
325	Clerk of legislature
326	Legislative council
327	Duties of secretary of state
328	Session laws and legislative journals
336	Rural fire protection districts
337	Campaign expenses
338	County assistance committees
345, 346	County surveyor
347	Subdivision of land in cities
352	Public buildings in cities
370	Division of athletics
376	County superintendent
378	Precinct assessors
393	Bonds of state officers
394	Appointments by governor
396	Aeronautics commission
410	Power of counties to borrow money
413	Lieutenant governor as land commissioner
414	Bonds of deputies of county officers

416	Bureau of criminal investigation
440	Aeronautics commission
441	Municipal elections
449	Bureau of securities
453	Election boards
458	Legislative comptroller
459	Political conventions
463	One-house legislature
496	Elections, metropolitan cities
497	Municipal cold storage plants

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Chairman—Amos Thomas

4	Probate proceedings
9	Jury commissioner
11	Commissions for executors
16	Bailiffs in Lancaster county
22	Undertakings on appeal
27	Deeds to real property
35	Deputy to clerk of district court
36	Property of foreign corporations
39	Notice in receivership proceedings
40	Partnerships
42	Wards of U. S. veterans' bureau
45	Civil actions
46, 110	No fund checks
47	Liens on grain
48	Dangerous weapons
57	Action against insurers
77	Fraudulent conveyances
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83, 84	Tax foreclosure proceedings
89	Deputy county attorneys
91	Judgment notwithstanding verdict
93	Liability of corporations
97, 98	Delinquent taxes on estates
99	Taxes on property held by guardians
103	Accounts of guardians
105	Mortgages on grain
127	Compilation of statutes
151	Liens on grain
153	Foreclosure of mortgages
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171	Procedure in county courts
172	Rules of procedure for all courts
182	Bulk sales
186	Creditors of insolvent estates
193	Title to real estate
200	Damages by railroads
203	Borrowing money on estates
209	Chattel mortgages
221	Title to motor vehicles
222	Allegations of negligence
236	Tax sales on real property
246	Survival of causes of action
248	Contractual liability of husband and wife
249	Time of rendering judgments
251	Judge of municipal court
252	Damages for injuries
254	Adjournment of causes
266	Bank certificates of deposit
267	Joinder of defendants
268	New trial
284	Fees in probate proceedings
293	Debts due estates
299, 300, 301	Oil, gas and mineral leases
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332	Wills
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342, 343	Workmen's compensation

349 Designation of parties in action
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366 Claims against estates of wards
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372 Grand and petit jurors
375 Cases in municipal courts
379 Action against trucking companies
382 Attorneys recommended by local officials
384 Examination of jurors
385 Cases before liquor control commission
399 Coroners
404 Motor vehicle accidents
408 Relating to election laws
428 Breaking and entering
437 Charitable and fraternal corporations
442 Accounts of executors of estates
454 Conditional sales contracts
455 Selection of district judges
480 Board of pardons
485 Agents of foreign corporations
509 Court of claims

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Chairman—Lester L. Dunn

32 Discovery of oil and gas
44 Unemployment compensation
67 Police civil service commission
70 Nepotism
71 Employment of married women
108 Labor on public works
136 Licensing of plumbers
141 County assistance boards
143 Wages
156 Political assessments from county employes
159 Hours of employment of women
161 Assistance for blind
162 Dependent children
163 Assistance for aged
177 Solicitation from indigent persons for campaign expenses
181 Osteopathy
195 Inspection of elevators
234 Horology
262 Workmen's compensation claims
265 Assistance for blind
270 Dependent children
271 Unemployment compensation
279 Workmen's compensation
305 Library certification board
351 Assistance for blind
358 Sale of alcoholic liquors to minors
360 Road houses and dance halls
362 Assignment of wages
389 Old age assistance
403 Surplus state assistance funds
424 Toilet facilities in theaters
427 Arbitration of labor disputes
443 Light engine crews
445 Workmen's compensation
447 Unemployment compensation insurance
448 State employment service
451 Blind assistance board
464 Electricians
475 Labor disputes
477 Painters and decorators
482 Railroad repair shops

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Chairman—A. L. Miller

28	Fish seines and nets
56	Sale of beer
62	Library boards
72	Marathons
74	Barber shops
75	Board of barber examiners
92	Fort MacPherson National Cemetery
104	Pharmacy and drugs
128	Sale of liquors in Douglas county
129, 130, 131	Health districts
180	Beaver
183	Practice of dentistry
220	Commissioners of insanity
228	Plumbing code
303	Acquisition of historic objects
330	Railroad passes
367	Alcoholic content of liquors
368	Licenses of liquor dealers
371	Regulation of sale of liquors
373, 374	Metropolitan utilities district
392	Osteopathy
402	Bureau of securities
417	Alcoholic liquor revenue stamps
418	Liquor licenses for non-resident dealers
421	Abandoned cemeteries
422	Liquor license fees
432	Unloading motor fuels at night
433	Practice of optometry
439	Airports
444	Chiropractic
450	Fireworks
466	Mothers' pensions
469	Liquor licenses
476	Reimbursement of hospitals
478	Assistance to dependent children
484	Illegitimate children

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Chairman—R. M. Howard

29	Electric power districts
50	State highways
76	Contracts for public works
95, 96	Electrical wiring
109, 121	Motor vehicle registration
111	Speed limit of motor vehicles
122	State highway commission
123	Motor vehicle licenses
142, 149	Motor vehicle registration
144, 145	Irrigation
148	Equalization fees, motor vehicles
155, 184, 199	Proposed state highways
168, 169, 170, 185	Public power and irrigation districts
176	Waterworks and gas plants
192	Water rights compact
194	Speed limit of motor vehicles
197	Trucks at railway crossings
206	Bids for contracts on road construction
215	Registration of trailers
223	United States rural post roads
224	Buses at railway crossings
229	Inspection of motor vehicles
235	Gasoline tax for State assistance fund
247	Taxation of electric power districts

253	Licenses of motor vehicles
255	Permits for use of motor vehicles
256	School buses
273	Sewers
275	Acquisition of public utilities
276	Electric power and irrigation districts
294	Rates for electric energy
306	Taxation of Diesel trucks
310	Boundaries of electric power districts
317	Bridges over irrigation ditches
319	Registration fees, farm trucks
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331	Division of motor fuels
335	Water from Platte river
339	Public utilities commission
348	Rural mail routes
350	Special permits for use of motor vehicles
356	Intrastate buses and trucks
377	Allocation of gasoline tax
383	Municipal power plants
386	Farm trucks
391, 395	Formation of electric power districts
419	Instructional permits for use of motor vehicles
429	Allocation of assistance fund
430	Extension of electric power districts
457	Motor vehicle registration certificates
467	Bonds for electric power plants
495	Highway fund, special appropriation
515	Identification of public property

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Chairman—Hugh B. Ashmore

3	Motor vehicle inspection
5	Assessment of real property
6	Alcohol blend in motor vehicle fuels
12	Exemptions from gasoline tax
14	Delinquent taxes
15	Tax levy for poor relief
17	Towing permits for motor vehicles
51	Precinct assessors
52	Tax on wine
81	Income tax
87	Head tax
90	Occupation tax on wholesalers
118	Inheritance tax
137	County assessors
187	Billboard advertising
190	Taxation of public power districts
207	Improvement fund in cities
210	County and precinct assessors
214	Actual value of property for taxation
219	Motor vehicle registration fee
225	Truck registration fee
237	Liens on proceeds of insurance
263	Inheritance tax
264	Payment of delinquent taxes
288	Head tax
311	Payment of delinquent taxes
355	Assessment of property for taxation
359	Limitation of taxation
387	Tax on common carriers
388	Metropolitan utilities district
400	Audit of claims by counties
401	Fire insurance companies

405	Assessment of railroad property
407	Tax levy for state expenses
431	Interest on bonds of indebtedness
452	Head tax
456	Taxation of intangible property
470	Assessment of cattle
472	Motor vehicle registration
486	School tax
487	Bond issues for schools
492	Liquor tax
498	Municipal sales pavilions
508	Deputy tax commissioner

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2 3 7 8 9 11 12 13 14 15
18 19 22 23 24 25 26 27 28 30
31 33 34 35 39 40 41 42 43 44
47 52 53 59 64 66 72 76 77 78
79 85 92 93 100 104 106 109 111 120
124 127 129 130 131 132 138 139 140 148
164 168 170 172 173 174 175 179 180 192
198 202 203 205 206 207 212 214 221 224
231 235 240 264 270 272 296 299 300 301
304 307 315 326 327 331 336 338 344 351
362 372 374 389 390 400 408 409 410 417
420 429 431 441 447 460 461 465 471 483
487 488 489 490 491 492 493 494 515 516
518 519 520 521 522 523

Approved by Governor in part

517

Became law without Governor's approval

350

Vetoed by Governor

74 86 133 282 495 352

Failed on third reading

1 32 288 462

Indefinitely postponed

4 5 6 10 16 17 20 21 29 36
69 70 71 73 75 80 81 82 83 84
114 115 116 117 118 119 121 122 123 125
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CHRONOLOGY OF BILLS

Fifty-third Session

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May 27	General File. Referred for review	1263
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May 31	General File. Referred for review	1307
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May 17	Presented to Governor	1172
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Jan. 18	Signed by Speaker	104
Jan. 18	Presented to Governor	106
Jan. 18	Approved by Governor	116

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Jan. 9	Read second time. Referred to Committee on Appropriations	53
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Feb. 10	Referred for review	345
Mar. 1	Placed on Select File	484
Mar. 6	Replaced on General File	510
Mar. 8	General File. Referred for review	528
Mar. 30	Replaced on Select File	722
Mar. 31	Select File. Referred for engrossment	735
Apr. 3	Correctly engrossed	754
Apr. 5	Read third time and passed 31-8	771
Apr. 7	Correctly enrolled	796
Apr. 7	Signed by President	802
Apr. 8	Presented to Governor	807
Apr. 8	Approved by Governor	816

LEGISLATIVE BILL NO. 12. By Neubauer et al.

Jan. 10	Read first time	57
Jan. 11	Read second time. Referred to Committee on Revenue	65
Feb. 1	Notice of hearing	292
Mar. 13	Placed on General File	561
May 27	General File	1269
May 29	General File. Referred for review	1279
June 1	Placed on Select File	1318
June 2	Select File. Referred for engrossment	1341
June 3	Correctly engrossed	1390
June 6	Read third time and failed of passage with emergency clause 27-10	1400
June 6	Read third time and passed with emergency clause stricken 27-10	1401
June 6	Correctly enrolled	1408
June 6	Signed by Speaker	1408

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June 6	Presented to Governor	1422
June 7	Approved by Governor	1435

LEGISLATIVE BILL NO. 13. By Committee on Appropriations.

Jan. 10	Read first time	58
Jan. 11	Notice of hearing	62
Jan. 11	Read second time. Referred to Committee on Appropriations	65
Jan. 17	Placed on General File	87
Jan. 17	Referred for engrossment	91
Jan. 17	Correctly engrossed	91
Jan. 19	Read third time and passed 43-0	110
Jan. 19	Correctly enrolled	112
Jan. 19	Signed by Speaker	112
Jan. 19	Presented to Governor	114
Jan. 19	Approved by Governor	118

LEGISLATIVE BILL NO. 14. By Klaver.

Jan. 10	Read first time	58
Jan. 11	Read second time. Referred to Committee on Revenue	65
Jan. 13	Notice of hearing	75
Feb. 6	Placed on General File	312
Feb. 7	Referred for review	319
Feb. 15	Placed on Select File	371
Feb. 16	Select File. Referred for engrossment	382
Feb. 23	Correctly engrossed	441
Feb. 28	Read third time and passed 36-2	474
Mar. 8	Correctly enrolled	524
Mar. 8	Signed by President	526
Mar. 8	Presented to Governor	534
Mar. 9	Approved by Governor	542

LEGISLATIVE BILL NO. 15. By Doyle.

Jan. 10	Read first time	58
Jan. 11	Read second time. Referred to Committee on Revenue	65
Jan. 20	Notice of hearing	114
Feb. 16	Placed on General File	380
Feb. 24	General File	453
Mar. 10	General File. Referred for review	551
Mar. 17	Placed on Select File	597
Mar. 20	Select File. Referred for engrossment	617

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Mar. 27	Correctly engrossed	683
Mar. 29	Read third time and passed 41-0	713
Mar. 31	Correctly enrolled	733
Mar. 31	Signed by President	733
Mar. 31	Presented to Governor	754
Apr. 3	Approved by Governor	756

LEGISLATIVE BILL NO. 16. By Craven, Dunn.

Jan. 11	Read first time	63
Jan. 12	Read second time. Referred to Committee on Judiciary	72
Jan. 16	Notice of hearing	80
Jan. 19	Notice of hearing	106
Feb. 16	Placed on General File	381
Mar. 13	Indefinitely postponed	572

LEGISLATIVE BILL NO. 17. By Miller et al.

Jan. 11	Read first time	64
Jan. 12	Read second time. Referred to Committee on Revenue	72
Jan. 20	Notice of hearing	114
Feb. 10	Placed on General File	341
Feb. 15	General File	376
Feb. 20	General File	408
Apr. 11	General File. Indefinitely postponed	818

LEGISLATIVE BILL NO. 18. By Schultz.

Jan. 11	Read first time	64
Jan. 12	Read second time. Referred to Committee on Claims and Deficiencies	72
Feb. 28	Placed on General File	471
Mar. 15	Referred for review	584
Mar. 17	Placed on Select File	602
Mar. 20	Select File. Referred for engrossment	618
Mar. 27	Correctly engrossed	683
Mar. 29	Read third time and passed 38-0	714
Mar. 31	Correctly enrolled	733
Mar. 31	Signed by President	733
Mar. 31	Presented to Governor	754
Apr. 3	Approved by Governor	756

LEGISLATIVE BILL NO. 19. By Schultz.

Jan. 11	Read first time	64

		Page
Jan. 12	Read second time. Referred to Committee on Claims and Deficiencies	72
Feb. 28	Placed on General File	471
Mar. 15	General File. Referred for review	584
Mar. 17	Placed on Select File	601
Mar. 20	Select File. Referred for engrossment	617
Mar. 21	Replaced on Select File	623
Mar. 21	Select File. Referred for engrossment	625
Mar. 27	Correctly engrossed	683
Mar. 29	Read third time and passed 40-0	714
Mar. 31	Correctly enrolled	733
Mar. 31	Signed by President	733
Mar. 31	Presented to Governor	754
Apr. 3	Approved by Governor	756

LEGISLATIVE BILL NO. 20. By Neubauer.

Jan. 11	Read first time	64
Jan. 12	Read second time. Referred to Committee on Banking, Commerce and Insurance	72
Feb. 15	Notice of hearing	366
Feb. 24	Notice of hearing	447
Mar. 1	Indefinitely postponed	480

LEGISLATIVE BILL NO. 21. By Neubauer.

Jan. 11	Read first time	64
Jan. 12	Read second time. Referred to Committee on Banking, Commerce and Insurance	72
Feb. 15	Notice of hearing	366
Feb. 24	Notice of hearing	447
Mar. 1	Indefinitely postponed	480

LEGISLATIVE BILL NO. 22. By Craven.

Jan. 11	Read first time	65
Jan. 12	Read second time. Referred to Committee on Judiciary	72
Jan. 16	Notice of hearing	80
Jan. 24	Placed on General File	142
Jan. 27	Referred for review	209
Feb. 1	Placed on Select File	293
Feb. 3	Referred for engrossment	307
Feb. 8	Replaced on Select File	329
Feb. 9	Select File. Referred for engrossment	338
Feb. 15	Correctly engrossed	374
Feb. 20	Replaced on Select File	405

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Feb. 21	Select File. Referred for reengrossment	418
Feb. 24	Correctly reengrossed	450
Mar. 1	Read third time and passed 42-0	492
Mar. 8	Correctly enrolled	524
Mar. 8	Signed by President	526
Mar. 8	Presented to Governor	534
Mar. 9	Approved by Governor	542

LEGISLATIVE BILL NO. 23. By Ashmore et al.

Jan. 12	Read first time	69
Jan. 12	Motions	72
Jan. 13	Read second time. Referred to Committee on Government	78
Jan. 26	Notice of hearing	176
Feb. 10	Placed on General File	344
Feb. 15	Laid over	376
Feb. 16	Referred for review	384
Mar. 9	Placed on Select File	536
Mar. 10	Select File. Referred for engrossment	549, 550
Mar. 16	Correctly engrossed	591
Mar. 20	Read third time and passed 39-0	611
Mar. 22	Correctly enrolled	634
Mar. 22	Signed by President	634
Mar. 24	Presented to Governor	654
Mar. 25	Approved by Governor	684

LEGISLATIVE BILL NO. 24. By Ashmore et al.

Jan. 12	Read first time	69
Jan. 12	Motions	72
Jan. 13	Read second time. Referred to Committee on Government	78
Jan. 26	Notice of hearing	176
Feb. 10	Placed on General File	344
Feb. 16	Referred for review	385
Mar. 9	Placed on Select File	536
Mar. 10	Select File. Referred for engrossment	549, 550
Mar. 16	Correctly engrossed	591
Mar. 20	Read third time and passed 39-0	612
Mar. 22	Correctly enrolled	634
Mar. 22	Signed by President	634
Mar. 24	Presented to Governor	654
Mar. 25	Approved by Governor	684

LEGISLATIVE BILL NO. 25. By Ashmore et al.

		Page
Jan. 12	Read first time	70
Jan. 12	Motions	72
Jan. 13	Read second time. Referred to Committee on Government	79
Jan. 26	Notice of hearing	176
Feb. 10	Placed on General File	344
Feb. 16	Referred for review	385
Mar. 9	Placed on Select File	538
Mar. 10	Select File. Referred for engrossment	550
Mar. 16	Correctly engrossed	591
Mar. 20	Read third time and passed 39-0	613
Mar. 22	Correctly enrolled	634
Mar. 22	Signed by President	634
Mar. 24	Presented to Governor	654
Mar. 25	Approved by Governor	684

LEGISLATIVE BILL NO. 26. By Ashmore et al.

Jan. 12	Read first time	70
Jan. 12	Motions	72
Jan. 13	Read second time. Referred to Committee on Government	79
Jan. 26	Notice of hearing	176
Feb. 10	Placed on General File	342
Feb. 16	Referred for review	384
Mar. 9	Placed on Select File	537
Mar. 10	Select File. Referred for engrossment	550
Mar. 16	Correctly engrossed	591
Mar. 20	Read third time and passed 38-0	613
Mar. 22	Correctly enrolled	634
Mar. 22	Signed by President	634
Mar. 24	Presented to Governor	654
Mar. 25	Approved by Governor	684

LEGISLATIVE BILL NO. 27. By Mekota.

Jan. 12	Read first time	70
Jan. 13	Read second time. Referred to Committee on Judiciary	79
Jan. 17	Notice of hearing	86
Jan. 26	Placed on General File	177
Jan. 27	Referred for review	210
Feb. 1	Placed on Select File	293
Feb. 3	Select File. Referred for engrossment	307
Feb. 8	Replaced on Select File	327

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Feb. 9	Select File. Referred for engrossment	337
Feb. 15	Correctly engrossed	374
Feb. 20	Read third time and passed 39-0	402
Feb. 24	Correctly enrolled	450
Feb. 27	Signed by President	462
Feb. 28	Presented to Governor	487
Mar. 1	Approved by Governor	495

LEGISLATIVE BILL NO. 28. By Tvrdik.

Jan. 12	Read first time	71
Jan. 13	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	79
Feb. 6	Notice of hearing	310
Feb. 20	Placed on General File	399
Mar. 13	Referred for review	572
Mar. 17	Placed on Select File	598
Mar. 20	Select File. Referred for engrossment	617
Mar. 27	Correctly engrossed	683
Mar. 29	Read third time and passed 32-6	715
Mar. 31	Correctly enrolled	733
Mar. 31	Signed by President	733
Mar. 31	Presented to Governor	754
Apr. 3	Approved by Governor	756

LEGISLATIVE BILL NO. 29. By Craven.

Jan. 12	Read first time	71
Jan. 13	Read second time. Referred to Committee on Public Works	79
Jan. 16	Notice of hearing	81
Mar. 16	Motion	592
Mar. 23	Indefinitely postponed	643
Mar. 27	Motion	683
Apr. 21	Motion	909

LEGISLATIVE BILL NO. 30. By Von Seggern et al.

Jan. 12	Read first time	71
Jan. 13	Read second time. Referred to Committee on Government	79
Jan. 19	Notice of hearing	106
Jan. 27	Placed on General File	192
Jan. 31	General File. Laid over	290
Feb. 1	General File. Referred for review	297
Feb. 21	Placed on Select File	415
Feb. 22	Select File. Referred for engrossment	431

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Feb. 24	Correctly engrossed	450
Mar. 1	Read third time and passed 31-6	488
Mar. 6	Statement	515
Mar. 8	Correctly enrolled	524
Mar. 8	Signed by President	526
Mar. 8	Presented to Governor	534
Mar. 9	Approved by Governor	542

LEGISLATIVE BILL NO. 31. By Diers.

Jan. 12	Read first time	71
Jan. 13	Read second time. Referred to Committee on Government	79
Jan. 23	Notice of hearing	120
Jan. 30	Placed on General File	214
Feb. 2	Referred for review	304
Feb. 8	Placed on Select File	328
Feb. 9	Select File. Referred for engrossment	338
Feb. 15	Correctly engrossed	374
Feb. 20	Read third time and passed 42-0	405
Feb. 25	Correctly enrolled	450
Feb. 27	Signed by President	462
Feb. 28	Presented to Governor	487
Mar. 1	Approved by Governor	495

LEGISLATIVE BILL NO. 32. By Reavis, Gantz.

Jan. 12	Read first time	71
Jan. 13	Read second time. Referred to Committee on Labor and Public Welfare	79
Jan. 26	Placed on General File	176
Jan. 27	General File	210
Jan. 31	Laid over	290
Feb. 1	Referred for review	297
Feb. 8	Placed on Select File	328
Feb. 9	Replaced on General File	338
Feb. 15	General File	376
Feb. 24	Motion. Referred for review	452
Mar. 1	Replaced on Select File	484
Mar. 7	Select File. Referred for engrossment	518
Mar. 16	Correctly engrossed	591
Mar. 20	Read third time and failed of passage 18-20	615

LEGISLATIVE BILL NO. 33. By Reed et al.

Jan. 12	Read first time	72
Jan. 13	Motion	75

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Jan. 13	Read second time. Referred to Committee on Agriculture	79
Jan. 20	Notice of hearing	113
Feb. 8	Placed on General File	325
Feb. 9	Rereferred to Committee on Agriculture	339
Feb. 13	Replaced on General File	350
Feb. 20	General File. Laid over	408
Feb. 21	General File. Laid over	419
Feb. 22	Referred for review	432
Mar. 1	Replaced on General File	487
Mar. 8	General File. Laid over	529
Mar. 9	Referred for review	541
Mar. 16	Placed on Select File	590
Mar. 17	Select File. Referred for engrossment	605
Mar. 22	Correctly engrossed	634
Mar. 27	Read third time and passed 38-2	690
Mar. 30	Correctly enrolled	723
Mar. 30	Signed by President	723
Mar. 30	Presented to Governor	733
Mar. 30	Approved by Governor	737

LEGISLATIVE BILL NO. 34. By Mekota.

Jan. 13	Read first time	76
Jan. 16	Read second time. Referred to Committee on Government	84
Feb. 2	Notice of hearing	300
Feb. 13	Placed on General File	349
Feb. 15	Referred for review	377
Feb. 24	Placed on Select File	449
Feb. 27	Select File. Referred for engrossment	463
Mar. 9	Correctly engrossed	535
Mar. 13	Read third time and passed 38-0	570
Mar. 16	Correctly enrolled	591
Mar. 16	Signed by President	593
Mar. 16	Presented to Governor	604
Mar. 17	Approved by Governor	607

LEGISLATIVE BILL NO. 35. By Reavis.

Jan. 13	Read first time	76
Jan. 16	Read second time. Referred to Committee on Judiciary	84
Jan. 17	Notice of hearing	86
Jan. 26	Placed on General File	177
Jan. 27	Referred for review	210

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Feb. 1	Replaced on General File	298
Feb. 2	Referred for review	304
Feb. 24	Placed on Select File	450
Feb. 27	Select File. Referred for engrossment	464
Mar. 9	Correctly engrossed	535
Mar. 13	Read third time and passed 34-1	568
Mar. 16	Correctly enrolled	591
Mar. 16	Signed by President	593
Mar. 16	Presented to Governor	604
Mar. 17	Approved by Governor	607

LEGISLATIVE BILL NO. 36. By Reavis.

Jan. 13	Read first time	76
Jan. 16	Read second time. Referred to Committee on Judiciary	84
Jan. 17	Notice of hearing	87
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 37. By Callan et al.

Jan. 13	Read first time	76
Jan. 16	Read second time. Referred to Committee on Banking, Commerce and Insurance	84
Jan. 20	Notice of hearing	114
Feb. 3	Indefinitely postponed	306

LEGISLATIVE BILL NO. 38. By Garber.

Jan. 13	Read first time	77
Jan. 16	Read second time. Referred to Committee on Banking, Commerce and Insurance	84
Feb. 15	Notice of hearing	366
Apr. 5	Indefinitely postponed	765

LEGISLATIVE BILL NO. 39. By Dunn.

Jan. 13	Read first time	77
Jan. 16	Read second time. Referred to Committee on Judiciary	84
Jan. 17	Notice of hearing	86
Jan. 26	Placed on General File	177
Jan. 27	Referred for review	210
Feb. 1	Placed on Select File	293
Feb. 3	Referred for engrossment	307
Feb. 8	Replaced on Select File	327
Feb. 9	Select File. Referred for engrossment	338

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Feb. 15	Correctly engrossed	374
Feb. 20	Read third time and passed 40-0	403
Feb. 24	Correctly enrolled	450
Feb. 27	Signed by President	462
Feb. 28	Presented to Governor	487
Mar. 1	Approved by Governor	495

LEGISLATIVE BILL NO. 40. By Thomas.

Jan. 13	Read first time	77
Jan. 16	Read second time. Referred to Committee on Judiciary	84
Jan. 17	Notice of hearing	87
Jan. 27	Placed on General File	193
Jan. 31	General File. Report progress	290
Feb. 1	General File	298
Feb. 2	Referred for review.	303
Feb. 16	Select File. Referred for engrossment	382, 383
Mar. 1	Correctly engrossed	486
Mar. 8	Read third time and passed 35-6	527
Mar. 16	Correctly enrolled. Signed by President	591, 593
Mar. 16	Presented to Governor	604
Mar. 17	Approved by Governor	607

LEGISLATIVE BILL NO. 41. By Tvrdik et al.

Jan. 13	Read first time	78
Jan. 16	Read second time. Referred to Committee on Education	84
Jan. 31	Notice of hearing	285
Feb. 22	Placed on General File	423
Apr. 12	Referred for review	827
Apr. 14	Placed on Select File	844
Apr. 17	Select File. Referred for engrossment	870
Apr. 18	Correctly engrossed	875
Apr. 20	Laid over one day	896
Apr. 21	Replaced on Select File	909
Apr. 21	Select File. Referred for engrossment	910
Apr. 24	Correctly engrossed	916
Apr. 26	Laid over	944
Apr. 27	Read third time and passed 29-0	950
Apr. 28	Correctly enrolled	955
Apr. 28	Signed by President	955
Apr. 28	Presented to Governor	959
Apr. 29	Approved by Governor	976

LEGISLATIVE BILL NO. 42. By Dunn.

		Page
Jan. 13	Read first time	78
Jan. 16	Read second time. Referred to Committee on Judiciary	84
Jan. 17	Notice of hearing	87
Jan. 27	Placed on General File	193
Feb. 2	Referred for review	303
Feb. 8	Placed on Select File	328
Feb. 9	Referred for engrossment	338
Feb. 15	Correctly engrossed	374
Feb. 20	Read third time and passed 39-2	404
Feb. 24	Correctly enrolled	450
Feb. 27	Signed by President	462
Feb. 28	Presented to Governor	487
Mar. 1	Approved by Governor	495

LEGISLATIVE BILL NO. 43. By Dunn et al.

Jan. 13	Read first time	78
Jan. 16	Read second time. Referred to Committee on Government	84
Jan. 26	Notice of hearing	176
Feb. 2	Placed on General File	301
Feb. 2	Referred for review	304
Feb. 8	Placed on Select File	328
Feb. 9	Referred for engrossment	338
Feb. 15	Correctly engrossed	374
Feb. 21	Read third time and passed 39-0	417
Feb. 24	Correctly enrolled	450
Feb. 27	Signed by President	462
Feb. 28	Presented to Governor	487
Mar. 1	Approved by Governor	495

LEGISLATIVE BILL NO. 44. By Dunn, John Adams, Jr.

Jan. 16	Read first time	82
Jan. 17	Read second time. Referred to Committee on Labor and Public Welfare	91
Jan. 24	Notice of hearing	142
Feb. 22	Placed on General File	424
Apr. 13	General File. Referred for review	833
Apr. 25	Placed on Select File	924
Apr. 26	Select File. Replaced on General File	945
May 1	General File. Referred for engrossment	962
May 3	Correctly engrossed	996

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May 5	Replaced on Select File. Referred for engrossment	1017, 1021
May 9	Correctly engrossed	1032
May 15	Motion	1087
May 26	Read third time and passed 37-0	1237
May 27	Correctly enrolled	1266
May 27	Signed by President	1266
May 29	Presented to Governor	1306
June 2	Approved by Governor	1377

LEGISLATIVE BILL NO. 45. By Sorrell.

Jan. 16	Read first time	82
Jan. 17	Read second time. Referred to Committee on Judiciary	91
Jan. 19	Notice of hearing	106
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 46. By Sorrell.

Jan. 16	Read first time	82
Jan. 17	Read second time. Referred to Committee on Judiciary	91
Jan. 19	Notice of hearing	106
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 47. By Sorrell.

Jan. 16	Read first time	82
Jan. 17	Read second time. Referred to Committee on Judiciary	91
Jan. 19	Notice of hearing	106
Feb. 22	Placed on General File	422
Apr. 12	Referred for review	827
Apr. 14	Placed on Select File	844
Apr. 17	Select File. Referred for engrossment	870
Apr. 18	Correctly engrossed	875
Apr. 20	Read third time and passed 42-1	895
Apr. 21	Correctly enrolled	904
Apr. 21	Signed by Speaker	904
Apr. 22	Presented to Governor	927
Apr. 24	Approved by Governor	920

LEGISLATIVE BILL NO. 48. By Sorrell.

Jan. 16	Read first time	83
Jan. 17	Read second time. Referred to Committee on Judiciary	91

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Jan. 19	Notice of hearing	106
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 49. By Lambert.

Jan. 16	Read first time	83
Jan. 17	Read second time. Referred to Committee on Government	91
Jan. 23	Notice of hearing	120
Jan. 30	Placed on General File	213
Feb. 3	Referred for review	307
Feb. 9	Rereferred to standing committee	321
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 50. By Schultz.

Jan. 16	Read first time	83
Jan. 17	Read second time. Referred to Committee on Public Works	91
Jan. 30	Notice of hearing	213
Feb. 6	Notice of hearing	310
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 51. By Carsten et al.

Jan. 16	Read first time	83
Jan. 17	Read second time. Referred to Committee on Government	91
Feb. 24	Referred to Committee on Revenue	451
Mar. 1	Notice of hearing	479
Mar. 16	Indefinitely postponed	587

LEGISLATIVE BILL NO. 52. By Dunn.

Jan. 16	Read first time	84
Jan. 17	Read second time. Referred to Committee on Revenue	91
Jan. 25	Notice of hearing	158
Feb. 6	Placed on General File	311
Feb. 7	General File. Referred for review	319
Feb. 15	Placed on Select File	373
Feb. 16	Select File. Referred for engrossment	383
Feb. 24	Correctly engrossed	450
Mar. 1	Read third time and passed 40-0	489
Mar. 8	Correctly enrolled	524
Mar. 8	Signed by President	526

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Mar. 8	Presented to Governor	534
Mar. 13	Approved by Governor	573

LEGISLATIVE BILL NO. 53. By Carsten et al.

Jan. 17	Read first time	88
Jan. 18	Read second time. Referred to Committee on Appropriations	98
Mar. 1	Notice of hearing	479
Mar. 29	Placed on General File	708
Apr. 11	General File. Referred for review	815
Apr. 13	Placed on Select File	834
Apr. 14	Select File. Referred for engrossment	859
Apr. 18	Correctly engrossed	875
Apr. 20	Read third time and passed 38-3	894
Apr. 21	Correctly enrolled	904
Apr. 21	Signed by Speaker	904
Apr. 22	Presented to Governor	927
Apr. 22	Approved by Governor	919

LEGISLATIVE BILL NO. 54. By Mischke.

Jan. 17	Read first time	88
Jan. 18	Read second time. Referred to Committee on Government	98
Mar. 16	Notice of hearing	586
Mar. 24	Indefinitely postponed	651

LEGISLATIVE BILL NO. 55. By Hastings, Miller.

Jan. 17	Read first time	88
Jan. 18	Read second time. Referred to Committee on Government	98
Mar. 16	Notice of hearing	586
May 5	Placed on General File	1009
May 8	General File. Referred for review	1024
May 9	Statement	1038
May 23	Placed on Select File	1195
May 24	Select File. Referred for engrossment	1215
May 29	Correctly engrossed	1271
June 2	Replaced on Select File	1356
June 2	Indefinitely postponed	1356

LEGISLATIVE BILL NO. 56. By Sorrell.

Jan. 17	Read first time	88
Jan. 18	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	98

		Page
Feb. 9	Notice of hearing	333
Feb. 23	Notice of hearing	434
Apr. 4	Placed on General File	760
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 57. By Craven.

Jan. 17	Read first time	89
Jan. 18	Read second time. Referred to Committee on Judiciary	98
Jan. 23	Notice of hearing	120
Feb. 14	Notice of hearing	357
Mar. 27	Indefinitely postponed	679

LEGISLATIVE BILL NO. 58. By Craven.

Jan. 17	Read first time	89
Jan. 18	Read second time. Referred to Committee on Government	98
Feb. 6	Notice of hearing	309
Feb. 13	Notice of hearing	348
Feb. 20	Placed on General File	399
Feb. 27	Rereferred to standing committee	463
Apr. 17	Replaced on General File	865
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 59. By Schultz et al.

Jan. 17	Read first time	89
Jan. 18	Read second time. Referred to Committee on Government	98
Jan. 23	Notice of hearing	120
Jan. 30	Placed on General File	213
Feb. 2	General File. Referred for review	304
Feb. 6	Replaced on General File	315
Feb. 7	Referred for review	319
Feb. 15	Placed on Select File	373
Feb. 16	Select File	383
Feb. 20	Referred for engrossment	406
Feb. 24	Correctly engrossed	450
Mar. 1	Read third time and passed 41-0	490
Mar. 8	Correctly enrolled	524
Mar. 8	Signed by President	526
Mar. 8	Presented by Governor	534
Mar. 9	Approved by Governor	542

LEGISLATIVE BILL NO. 60. By Neubauer.

		Page
Jan. 17	Read first time	90
Jan. 18	Read second time. Referred to Committee on Government	98
Mar. 23	Notice of hearing	640
Mar. 31	Indefinitely postponed	732

LEGISLATIVE BILL NO. 61. By Dunn et al.

		Page
Jan. 17	Read first time	90
Jan. 18	Read second time. Referred to Committee on Education	98
Jan. 31	Notice of hearing	286
Mar. 8	Indefinitely postponed	524
Mar. 8	Motion	526

LEGISLATIVE BILL NO. 62. By Doyle.

		Page
Jan. 17	Read first time	90
Jan. 18	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	98
Feb. 9	Notice of hearing	333
Feb. 24	Placed on General File	448
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 63. By Garber.

		Page
Jan. 17	Read first time	90
Jan. 18	Read second time. Referred to Committee on Agriculture	98
Jan. 25	Notice of hearing	158
Feb. 1	Indefinitely postponed	293

LEGISLATIVE BILL NO. 64. By Lambert.

		Page
Jan. 17	Read first time	90
Jan. 18	Read second time. Referred to Committee on Government	98
Jan. 26	Notice of hearing	176
Feb. 9	Placed on General File	334
Feb. 15	Referred for review	376
Feb. 24	Placed on Select File	449
Feb. 27	Select File. Referred for engrossment	463
Mar. 9	Correctly engrossed	535
Mar. 13	Read third time and passed 37-0	566
Mar. 13	Statement	571

		Page
Mar. 16	Correctly enrolled	591
Mar. 16	Signed by President	593
Mar. 16	Presented to Governor	604
Mar. 17	Approved by Governor	607

LEGISLATIVE BILL NO. 65. By E. A. Adams.

Jan. 18	Read first time	94
Jan. 19	Read second time. Referred to Committee on Banking, Commerce and Insurance	110
Jan. 26	Notice of hearing	176
Feb. 6	Placed on General File	310
Feb. 7	General File	319
Feb. 8	Rereferred to standing committee	330
Mar. 29	Report	709
Apr. 13	Replaced on General File	830
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 66. By Johnson.

Jan. 18	Read first time	94
Jan. 19	Read second time. Referred to Committee on Education	110
Jan. 31	Notice of hearing	285
Feb. 8	Placed on General File	327
Feb. 13	Referred for review	353
Feb. 21	Placed on Select File	415
Feb. 22	Select File. Referred for engrossment	431
Feb. 24	Correctly engrossed	450
Mar. 1	Read third time and passed 40-0	491
Mar. 8	Correctly enrolled	524
Mar. 8	Signed by President	526
Mar. 8	Presented to Governor	534
Mar. 9	Approved by Governor	542

LEGISLATIVE BILL NO. 67. By Reavis et al.

Jan. 18	Read first time	94
Jan. 19	Read second time. Referred to Committee on Labor and Public Welfare	110
Feb. 27	Notice of hearing	455
Mar. 21	Placed on General File	620
May 29	General File. Referred to Attorney General	1286
May 31	General File	1308
June 1	Opinion of Attorney General	1322
June 1	General File. Indefinitely postponed	1322
June 1	Motion	1326

LEGISLATIVE BILL NO. 68. By Gantz.

		Page
Jan. 18	Read first time	95
Jan. 19	Read second time. Referred to Committee on Education	110
Jan. 31	Notice of hearing	286
Feb. 8	Indefinitely postponed	327
Feb. 8	Motion	329
Feb. 9	Placed on General File	335
Feb. 15	General File	376
Feb. 24	Indefinitely postponed	452

LEGISLATIVE BILL NO. 69. By Sorrell.

Jan. 18	Read first time	95
Jan. 19	Read second time. Referred to Committee on Banking, Commerce and Insurance	110
Feb. 15	Notice of hearing	366
Mar. 22	Placed on General File	629
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 70. By Miller et al.

Jan. 18	Read first time	95
Jan. 19	Read second time. Referred to Committee on Labor and Public Welfare	110
Feb. 24	Notice of hearing	447
Feb. 27	Hearing date changed	455
Mar. 10	Indefinitely postponed	549

LEGISLATIVE BILL NO. 71. By Miller et al.

Jan. 18	Read first time	95
Jan. 19	Read second time. Referred to Committee on Labor and Public Welfare	110
Feb. 24	Notice of hearing	447
Feb. 27	Hearing date changed	455
Mar. 10	Placed on General File	549
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 72. By Johnson.

Jan. 18	Read first time	96
Jan. 19	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	110
Jan. 26	Notice of hearing	176
Feb. 3	Placed on General File	306
Feb. 6	Referred for review	316

		Page
Feb. 13	Replaced on General File	352
Feb. 20	General File. Referred for review	408
Feb. 24	Placed on Select File	450
Feb. 27	Select File. Referred for engrossment	464
Mar. 9	Correctly engrossed	535
Mar. 13	Read third time and passed 38-0	567
Mar. 13	Statement	571
Mar. 16	Correctly enrolled	591
Mar. 16	Signed by President	593
Mar. 16	Presented to Governor	604
Mar. 17	Approved by Governor	607

LEGISLATIVE BILL NO. 73. By Dunn.

Jan. 18	Read first time	96
Jan. 19	Read second time. Referred to Committee on Government	110
Mar. 16	Notice of hearing	587
Mar. 24	Indefinitely postponed	651

LEGISLATIVE BILL NO. 74. By Westley et al.

Jan. 18	Read first time	96
Jan. 19	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	110
Jan. 26	Notice of hearing	176
Feb. 20	Placed on General File	400
Mar. 14	Motion	579
Apr. 12	General File	823, 825
Apr. 12	Referred to Attorney General	826
Apr. 21	Opinion of Attorney General	899
May 1	Motion	964
May 3	Opinion of Attorney General	999
May 3	General File. Laid over	999
May 4	General File. Referred for review	1003
May 9	Placed on Select File	1028
May 10	Select File. Referred for engrossment	1053
May 15	Correctly engrossed	1083
May 17	Read third time and passed 22-15	1121
May 18	Statement	1152
May 19	Correctly enrolled	1173
May 19	Signed by Speaker	1173
May 19	Presented to Governor	1185
May 19	Vetoed by Governor	1185

LEGISLATIVE BILL NO. 75. By Westley.

		Page
Jan. 18	Read first time	96
Jan. 19	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	110
Jan. 26	Notice of hearing	176
Feb. 20	Placed on General File	399
Mar. 14	Motion	579
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 76. By Tvrdik.

Jan. 18	Read first time	97
Jan. 19	Read second time. Referred to Committee on Public Works	110
Jan. 30	Notice of hearing	213
Feb. 13	Placed on General File	349
Feb. 16	General File	385
Feb. 20	General File. Laid over	407
Feb. 21	Placed at bottom of General File	419
Apr. 12	General File. Laid over	826
Apr. 13	General File. Laid over	833
May 1	Motion	964
May 9	General File. Referred for review	1035
May 12	Placed on Select File	1066
May 17	Select File. Referred for engrossment	1126
May 23	Replaced on Select File	1202
May 24	Select File. Referred for engrossment	1215
May 26	Correctly engrossed	1235
May 29	Read third time and passed 33-5	1272
May 29	Statement	1278
May 29	Correctly enrolled	1291
May 29	Signed by President	1292
May 31	Presented to Governor	1306
June 1	Approved by Governor	1345

LEGISLATIVE BILL NO. 77. By Dunn, Craven.

Jan. 18	Read first time	97
Jan. 19	Read second time. Referred to Committee on Judiciary	110
Jan. 23	Notice of hearing	120
Feb. 6	Placed on General File	311
Feb. 7	General File. Referred for review	319
Feb. 15	Placed on Select File	374
Feb. 16	Referred for engrossment	383
Feb. 24	Correctly engrossed	450

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Mar. 1	Read third time and passed 42-0	492
Mar. 8	Correctly enrolled	524
Mar. 8	Signed by President	526
Mar. 8	Presented to Governor	534
Mar. 9	Approved by Governor	542

LEGISLATIVE BILL NO. 78. By Gutoski et al.

Jan. 18	Read first time	97
Jan. 19	Read second time. Referred to Committee on Banking, Commerce and Insurance	110
Jan. 26	Notice of hearing	176
Feb. 8	Placed on General File	327
Feb. 13	General File. Laid over	353
Feb. 15	Referred for review	376
Feb. 27	Placed on Select File	462
Mar. 7	Select File. Referred for engrossment	518
Mar. 7	Motion	520
Mar. 29	Report	709
Mar. 30	Correctly engrossed	723
Apr. 3	Read third time and passed 36-3	754
Apr. 5	Correctly enrolled	766
Apr. 5	Signed by President	766
Apr. 5	Presented to Governor	785
Apr. 8	Approved by Governor	810

LEGISLATIVE BILL NO. 79. By E. A. Adams.

Jan. 18	Read first time	97
Jan. 19	Read second time. Referred to Committee on Banking, Commerce and Insurance	110
Feb. 15	Notice of hearing	365
Feb. 22	Placed on General File	423
Apr. 12	Referred for review	827
Apr. 14	Placed on Select File	844
Apr. 17	Select File. Referred for engrossment	870
Apr. 18	Correctly engrossed	875
Apr. 20	Read third time and passed 29-7	893
Apr. 24	Correctly enrolled	916
Apr. 24	Signed by President	916
Apr. 25	Presented to Governor	932
Apr. 25	Approved by Governor	947

LEGISLATIVE BILL NO. 80. By Garber

Jan. 18	Read first time	97

		Page
Jan. 19	Read second time. Referred to Committee on Banking, Commerce and Insurance	110
Jan. 26	Notice of hearing	176
Mar. 10	Indefinitely postponed	548

LEGISLATIVE BILL NO. 81. By Herrick, Neubauer.

Jan. 19	Read first time	107
Jan. 20	Read second time. Referred to Committee on Revenue	117
Feb. 1	Notice of hearing	292
Feb. 10	Indefinitely postponed	341

LEGISLATIVE BILL NO. 82. By Gross.

Jan. 19	Read first time	107
Jan. 20	Read second time. Referred to Committee on Judiciary	117
Jan. 23	Notice of hearing	120
Apr. 14	Placed on General File	840
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 83. By Gantz et al.

Jan. 19	Read first time	107
Jan. 20	Read second time. Referred to Committee on Judiciary	117
Jan. 23	Notice of hearing	120
Apr. 6	Indefinitely postponed	785

LEGISLATIVE BILL NO. 84. By Gantz et al.

Jan. 19	Read first time	107
Jan. 20	Read second time. Referred to Committee on Judiciary	117
Jan. 23	Notice of hearing	120
Apr. 6	Indefinitely postponed	785

LEGISLATIVE BILL NO. 85. By Committee on Banking, Commerce and Insurance.

Jan. 19	Read first time	108
Jan. 20	Read second time. Referred to Committee on Banking, Commerce and Insurance	117
Feb. 3	Notice of hearing	306
Feb. 15	Placed on General File	367
Feb. 20	General File. Referred for review	408

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Feb. 24	Placed on Select File	449
Feb. 27	Referred for engrossment	464
Mar. 9	Correctly engrossed	535
Mar. 13	Read third time and passed 37-0	569
Mar. 16	Correctly enrolled	591
Mar. 16	Signed by President	593
Mar. 16	Presented to Governor	604
Mar. 17	Approved by Governor	611

LEGISLATIVE BILL NO. 86. By Diers et al.

Jan. 19	Read first time	108
Jan. 20	Read second time. Referred to Committee on Banking, Commerce and Insurance	117
Jan. 20	Motion	117
Feb. 15	Notice of hearing	365
Feb. 24	Notice of hearing	447
Mar. 9	Placed on General File	534
May 12	General File. Laid over	1074
May 15	General File	1092
May 25	General File. Referred for review	1229
May 29	Select File	1280
May 31	Referred for engrossment	1304
June 1	Correctly engrossed	1337
June 3	Read third time and failed of passage with emergency 27-12	1380
June 3	Read third time and passed with emergency stricken 25-13	1381
June 5	Correctly enrolled	1393
June 5	Signed by President	1393
June 6	Presented to Governor	1421
June 6	Vetoed by Governor	1426

LEGISLATIVE BILL NO. 87. By Callan.

Jan. 19	Read first time	108
Jan. 20	Read second time. Referred to Committee on Revenue	117
Jan. 25	Notice of hearing	158
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 88. By Doyle.

Jan. 19	Read first time	108
Jan. 20	Read second time. Referred to Committee on Banking, Commerce and Insurance	117

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Feb. 15	Notice of hearing	365
Mar. 8	Indefinitely postponed	523

LEGISLATIVE BILL NO. 89. By Gutoski et al.

Jan. 19	Read first time	108
Jan. 20	Read second time. Referred to Committee on Judiciary	117
Jan. 23	Notice of hearing	120
Feb. 27	Placed on General File	455
May 12	General File. Referred for review	1069
May 16	Placed on Select File	1101
May 18	Select File. Indefinitely postponed	1152

LEGISLATIVE BILL NO. 90. By Thornton et al.

Jan. 19	Read first time	109
Jan. 20	Read second time. Referred to Committee on Revenue	117
Feb. 8	Notice of hearing	325
Feb. 16	Placed on General File	381
Mar. 13	Indefinitely postponed	571

LEGISLATIVE BILL NO. 91. By Gutoski, Rossiter.

Jan. 20	Read first time	116
Jan. 23	Read second time. Referred to Committee on Judiciary	140
Mar. 24	Notice of hearing	650
Apr. 6	Indefinitely postponed	785

LEGISLATIVE BILL NO. 92. By Herrick.

Jan. 20	Read first time	116
Jan. 23	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	140
Feb. 9	Notice of hearing	333
Feb. 24	Placed on General File	448
June 1	Motion	1322
June 1	Referred for review	1325
June 1	Motion	1325
June 2	Placed on Select File	1353
June 2	Select File. Referred for engrossment	1355
June 3	Correctly engrossed	1390
June 6	Read third time and passed 39-0	1405
June 6	Correctly enrolled	1415

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June 6	Signed by President	1416
June 6	Presented to Governor	1425
June 8	Approved by Governor	1442

LEGISLATIVE BILL NO. 93. By Thomas.

Jan. 20	Read first time	116
Jan. 23	Read second time. Referred to Committee on Judiciary	140
Feb. 2	Notice of hearing	300
Feb. 10	Placed on General File	342
Feb. 15	General File. Referred for review	376
Feb. 24	Placed on Select File	448
Feb. 27	Referred for engrossment	463
Mar. 9	Correctly engrossed	535
Mar. 13	Read third time and passed 30-6	570
Mar. 16	Correctly enrolled	591
Mar. 16	Signed by President	593
Mar. 16	Presented to Governor	604
Mar. 17	Approved by Governor	607

LEGISLATIVE BILL NO. 94. By Hall et al.

Jan. 20	Read first time	117
Jan. 23	Read second time. Referred to Committee on Government	140
Feb. 27	Notice of hearing	455
Mar. 17	Placed on General File	596
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 95. By Hastings.

Jan. 23	Read first time	135
Jan. 24	Read second time. Referred to Committee on Public Works	155
Jan. 30	Notice of hearing	213
Feb. 6	Indefinitely postponed	311

LEGISLATIVE BILL NO. 96. By Hastings.

Jan. 23	Read first time	136
Jan. 24	Read second time. Referred to Committee on Public Works	155
Jan. 30	Notice of hearing	213
Feb. 6	Indefinitely postponed	311

LEGISLATIVE BILL NO. 97. By Gross.

		Page
Jan. 23	Read first time	136
Jan. 24	Read second time. Referred to Committee on Judiciary	155
Mar. 9	Notice of hearing	531
Mar. 20	Placed on General File	609
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 98. By Gross.

Jan. 23	Read first time	136
Jan. 24	Read second time. Referred to Committee on Judiciary	155
Mar. 9	Notice of hearing	531
Mar. 14	Indefinitely postponed	575

LEGISLATIVE BILL NO. 99. By Gross.

Jan. 23	Read first time	136
Jan. 24	Read second time. Referred to Committee on Judiciary	155
Mar. 9	Notice of hearing	531
Mar. 14	Indefinitely postponed	575

LEGISLATIVE BILL NO. 100. By Carsten et al.

Jan. 23	Read first time	136
Jan. 24	Read second time. Referred to Committee on Appropriations	155
Jan. 26	Notice of hearing	175
Feb. 22	Notice of hearing	421
Mar. 23	Placed on General File	641
Mar. 28	General File. Referred for review	705
Mar. 30	Placed on Select File	722
Mar. 31	Select File. Referred for engrossment	735
Apr. 3	Correctly engrossed	754
Apr. 5	Read third time and passed 34-3	770
Apr. 5	Correctly enrolled	775
Apr. 5	Signed by President	775
Apr. 5	Presented to Governor	785
Apr. 5	Approved by Governor	791

LEGISLATIVE BILL NO. 101. By Gantz.

Jan. 23	Read first time	137
Jan. 24	Read second time. Referred to Committee on Education	155

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Feb. 7	Notice of hearing	318
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 102. By Gantz (By Request).

Jan. 23	Read first time	137
Jan. 24	Read second time. Referred to Committee on Education	155
Feb. 7	Notice of hearing	318
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 103. By Johnson.

Jan. 23	Read first time	137
Jan. 24	Read second time. Referred to Committee on Judiciary	155
Feb. 2	Notice of hearing	300
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 104. By Rossiter et al.

Jan. 23	Read first time	137
Jan. 24	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	155
Feb. 2	Notice of hearing	300
Feb. 24	Placed on General File	448
May 11	General File. Referred for review	1062
May 16	Placed on Select File	1096
May 18	Select File. Referred for engrossment	1150
May 22	Replaced on Select File	1189
May 23	Select File. Referred for engrossment	1204
May 24	Correctly engrossed	1211
May 26	Read third time and passed 33-3	1251
May 27	Correctly enrolled	1266
May 27	Signed by President	1266
May 27	Presented to Governor	1305
June 1	Approved by Governor	1322

LEGISLATIVE BILL NO. 105. By Reavis, Diers.

Jan. 23	Read first time	138
Jan. 24	Read second time. Referred to Committee on Judiciary	155
Feb. 2	Notice of hearing	300
Mar. 13	Placed on General File	556
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 106. By Committee on Judiciary.

		Page
Jan. 23	Read first time	139
Jan. 24	Read second time. Referred to Committee on Banking, Commerce and Insurance	155
Feb. 15	Notice of hearing	365
Feb. 24	Placed on General File	447
May 11	Referred for review	1059
May 15	Placed on Select File	1077
May 17	Laid over	1125
May 19	Select File. Referred for engrossment	1173
May 23	Correctly engrossed	1203
May 26	Read third time and passed 36-0	1249
May 27	Correctly enrolled	1259
May 27	Signed by President	1259
May 27	Presented to Governor	1269
May 29	Approved by Governor	1280

LEGISLATIVE BILL NO. 107. By Brady.

Jan. 23	Read first time	139
Jan. 24	second time. Referred to Committee on Education	155
Feb. 7	Notice of hearing	318
Feb. 22	Placed on General File	423
May 10	Motion	1053
May 11	General File. Referred for review	1061
May 16	Placed on Select File	1096
May 18	Replaced on General File	1148
May 25	General File. Indefinitely postponed	1228

LEGISLATIVE BILL NO. 108. By Howard.

Jan. 23	Read first time	139
Jan. 24	Read second time. Referred to Committee on Labor and Public Welfare	155
Feb. 20	Notice of hearing	399
Mar. 1	Motion. Replaced on General File	480
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 109. By Tvrdik.

Jan. 23	Read first time	139
Jan. 24	Read second time. Referred to Committee on Public Works	155
Jan. 30	Notice of hearing	213
Feb. 6	Notice of hearing	310
Feb. 16	Placed on General File	380

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Feb. 24	General File. Laid over	452
Mar. 9	Referred for review	541
Mar. 16	Placed on Select File	590
Mar. 20	Select File. Referred for engrossment	617
Mar. 27	Correctly engrossed	683
Mar. 29	Read third time and passed 39-0	716
Mar. 31	Correctly enrolled	733
Mar. 31	Signed by President	733
Mar. 31	Presented to Governor	754
Apr. 3	Approved by Governor	756

LEGISLATIVE BILL NO. 110. By Van Diest.

Jan. 23	Read first time	139
Jan. 24	Read second time. Referred to Committee on Judiciary	155
Feb. 2	Notice of hearing	300
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 111. By Ashmore.

Jan. 24	Read first time	146
Jan. 25	Read second time. Referred to Committee on Public Works	171
Feb. 2	Notice of hearing	300
Feb. 13	Placed on General File	349
Feb. 15	General File. Laid over	377
Feb. 20	General File. Referred for review	406
Mar. 9	Placed on Select File	535
Mar. 10	Select File. Referred for engrossment	549, 550
Mar. 20	Correctly engrossed	610
Mar. 22	Read third time and passed 41-0	637
Mar. 24	Correctly enrolled	654
Mar. 24	Signed by President	654
Mar. 24	Presented to Governor	733
Mar. 25	Approved by Governor	684

LEGISLATIVE BILL NO. 112. By Dunn.

Jan. 24	Read first time	147
Jan. 25	Read second time. Referred to Committee on Banking, Commerce and Insurance	171
Feb. 15	Notice of hearing	365
Mar. 9	Placed on General File	532
June 1	Indefinitely postponed	1337

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LEGISLATIVE BILL NO. 113. By Dunn.

Jan. 24 Read first time 147
Jan. 25 Read second time. Referred to Committee on Government 171
Mar. 16 Notice of hearing 587
Mar. 31 Indefinitely postponed 732

LEGISLATIVE BILL NO. 114. By Dunn.

Jan. 24 Read first time 147
Jan. 25 Read second time. Referred to Committee on Government 171
Mar. 16 Notice of hearing 587
Mar. 31 Indefinitely postponed 732

LEGISLATIVE BILL NO. 115. By Carlson.

Jan. 24 Read first time 148
Jan. 25 Read second time. Referred to Committee on Government 172
Mar. 13 Notice of hearing 555
Mar. 21 Placed on General File 620
June 1 Indefinitely postponed 1337

LEGISLATIVE BILL NO. 116. By Carlson.

Jan. 24 Read first time 148
Jan. 25 Read second time. Referred to Committee on Government 172
Mar. 13 Notice of hearing 555
Mar. 21 Placed on General File 620
June 1 Indefinitely postponed 1337

LEGISLATIVE BILL NO. 117. By Carlson.

Jan. 24 Read first time 148
Jan. 25 Read second time. Referred to Committee on Government 172
Feb. 15 Notice of hearing 365
Mar. 13 Notice of hearing 555
Mar. 21 Placed on General File 620
June 1 Indefinitely postponed 1337

LEGISLATIVE BILL NO. 118. By Herrick.

Jan. 24 Read first time 148
Jan. 25 Read second time. Referred to Committee on Revenue 172

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Mar. 10	Notice of hearing	544
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 119. By Thornton et al.

Jan. 24	Read first time	149
Jan. 25	Read second time. Referred to Committee on Education	172
Jan. 31	Notice of hearing	286
June 1	Indefinitely postponedd	1338

LEGISLATIVE BILL NO. 120. By Craven.

Jan. 24	Read first time	149
Jan. 25	Read second time. Referred to Committee on Banking, Commerce and Insurance	172
Feb. 15	Notice of hearing	365
Mar. 1	Notice of hearing	479
Apr. 5	Placed on General File	766
June 1	General File. Referred for review	1332
June 3	Placed on Select File. Referred for engrossment	1371, 1377
June 3	Correctly engrossed	1391
June 6	Read third time and passed 36-0	1412
June 6	Correctly enrolled	1417
June 6	Signed by President	1418
June 6	Presented to Governor	1425
June 10	Approved by Governor	1442

LEGISLATIVE BILL NO. 121. By Craven.

Jan. 24	Read first time	149
Jan. 25	Read second time. Referred to Committee on Public Works	172
Feb. 2	Notice of hearing	300
Feb. 8	Motion	331
Feb. 13	Placed on General File	349
Feb. 16	General File. Laid over	385
Feb. 21	Indefinitely postponed	418

LEGISLATIVE BILL NO. 122. By Mueller.

Jan. 24	Read first time	149
Jan. 25	Read second time. Referred to Committee on Public Works	172
Feb. 2	Notice of hearing	300
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 123. By E. A. Adams.

		Page
Jan. 24	Read first time	150
Jan. 25	Read second time. Referred to Committee on Public Works	172
Feb. 2	Notice of hearing	300
Feb. 13	Placed on General File	349
Feb. 16	Placed at bottom of General File	385
Mar. 13	General File. Laid over	572
Mar. 14	General File	576
Mar. 15	General File. Laid over	583
Mar. 17	Referred to Standing Committee	605
Mar. 20	Notice of hearing	609
Apr. 3	Indefinitely postponed	746
Apr. 4	Motion	763

LEGISLATIVE BILL NO. 124. By Tvrdik et al.

Jan. 24	Read first time	150
Jan. 25	Read second time. Referred to Committee on Banking, Commerce and Insurance	172
Feb. 15	Notice of hearing	365
Mar. 8	Placed on General File	523
May 12	General File. Referred for review	1074
May 16	Placed on Select File	1098
May 18	Select File. Laid over	1150
May 19	Replaced on General File. Referred for engrossment	1174
May 23	Correctly engrossed	1203
May 26	Read third time and passed 30-6	1249
May 27	Correctly enrolled	1259
May 27	Signed by President	1259
May 27	Presented to Governor	1269
May 29	Approved by Governor	1305

LEGISLATIVE BILL NO. 125. Klaver, John Adams, Jr.

Jan. 24	Read first time	150
Jan. 25	Read second time. Referred to Committee on Education	172
Feb. 20	Referred to Committee of Revenue	402
Feb. 22	Notice of hearing	422
Mar. 17	Placed on General File	596
Mar. 24	Motion	655
Mar. 29	General File. Laid over	719
Mar. 31	Motion	735
Apr. 3	Laid over	755
Apr. 4	Indefinitely postponed	763

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LEGISLATIVE BILL NO. 126. By John Adams, Jr.

Jan. 24	Read first time	150
Jan. 25	Read second time. Referred to Committee on Education	172
Mar. 7	Notice of hearing	517
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 127. By Peterson, Dunn.

Jan. 24	Read first time	151
Jan. 25	Read second time. Referred to Committee on Judiciary	172
Mar. 9	Notice of hearing	531
Apr. 12	Placed on General File	820
May 4	Motion ..	1004
May 5	General File. Referred for review	1022
May 9	Placed on Select File	1030
May 10	Select File. Referred for engrossment	1054
May 15	Correctly engrossed	1083
May 17	Replaced on Select File	1118, 1122
May 22	Correctly engrossed	1189
May 24	Read third time and passed 38-0	1212
May 26	Correctly enrolled	1236
May 26	Signed by President	1236
May 26	Presented to Governor	1258
May 26	Approved by Governor	1266

LEGISLATIVE BILL NO. 128. By Gutoski.

Jan. 24	Read first time	151
Jan. 25	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	172
Feb. 9	Notice of hearing	333
Feb. 23	Notice of hearing	434
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 129. By Norman et al.

Jan. 24	Read first time	151
Jan. 25	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	172
Jan. 26	Notice of hearing	176
Feb. 23	Placed on General File	438
Apr. 13	General File. Referred for review	837
Apr. 21	Placed on Select File	901
Apr. 25	Select File. Referred for engrossment	928

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Apr. 26	Replaced on Select File	944
May 1	Select File. Referred for engrossment	960
May 3	Correctly engrossed	996
May 5	Read third time and passed 36-3	1010
May 8	Correctly enrolled	1023
May 8	Signed by President	1023
May 8	Presented to Governor	1040
May 11	Approved by Governor	1065

LEGISLATIVE BILL NO. 130. By Norman et al.

Jan. 24	Read first time	152
Jan. 25	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	172
Jan. 26	Notice of hearing	176
Feb. 23	Placed on General File	440
Apr. 13	Referred for review	838
Apr. 19	Placed on Select File	880
Apr. 20	Select File. Referred for engrossment	896
Apr. 25	Correctly engrossed	927
Apr. 27	Laid over	951
May 2	Laid over	980
May 5	Read third time and passed 37-0	1011
May 8	Correctly enrolled	1023
May 8	Signed by President	1023
May 8	Presented to Governor	1040
May 11	Approved by Governor	1065

LEGISLATIVE BILL NO. 131. By Norman et al.

Jan. 24	Read first time	152
Jan. 25	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	172
Jan. 26	Notice of hearing	176
Feb. 23	Placed on General File	440
Apr. 13	Referred for review	838
Apr. 19	Placed on Select File	883
Apr. 20	Select File. Laid over	896
Apr. 21	Select File. Referred for engrossment	906
Apr. 25	Replaced on Select File. Referred for engrossment	927, 929
Apr. 27	Correctly engrossed	948
May 2	Laid over	980
May 5	Read third time and passed 37-0	1012
May 8	Correctly enrolled	1023
May 8	Signed by President	1023

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May 8	Presented to Governor	1040
May 11	Approved by Governor	1065

LEGISLATIVE BILL NO. 132. By Gutoski, Tvrdik.

Jan. 24	Read first time	152
Jan. 25	Read second time. Referred to Committee on Government	172
Feb. 13	Notice of hearing	348
Feb. 23	Placed on General File	440
Apr. 13	General File. Referred for review	839
May 3	Placed on Select File	988
May 5	Select File. Referred for engrossment	1021
May 9	Correctly engrossed	1032
May 17	Read third time and passed 34-0	1118
May 19	Correctly enrolled	1173
May 19	Signed by Speaker	1173
May 19	Presented to Governor	1185
May 22	Approved by Governor	1191

LEGISLATIVE BILL NO. 133. By Lambert.

Jan. 24	Read first time	153
Jan. 25	Read second time. Referred to Committee on Banking, Commerce and Insurance	172
Feb. 15	Notice of hearing	365
Mar. 6	Placed on General File	507
May 12	General File. Referred for review	1072
May 19	Placed on Select File	1168
May 23	Select File.. Referred for engrossment	1203
May 26	Correctly engrossed	1235
May 29	Read third time and passed 30-9	1273
May 29	Statement ..	1278
May 29	Correctly enrolled	1291
May 29	Signed by President	1292
May 31	Presented to Governor	1306
June 3	Vetoed by Governor	1377

LEGISLATIVE BILL NO. 134. By Reavis et al.

Jan. 24	Read first time	153
Jan. 25	Read second time. Referred to Committee on Government	172
Feb. 9	Notice of hearing	333
Feb. 22	Placed on General File	424
Mar. 1	Supplemental report	480

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Apr. 13	Laid over	833
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 135. By Howard, Ashmore.

Jan. 24	Read first time	153
Jan. 25	Read second time. Referred to Committee on Government	172
Feb. 2	Notice of hearing	300
Feb. 9	Placed on General File	334
Feb. 14	Indefinitely postponed	363

LEGISLATIVE BILL NO. 136. By Doyle (By Request).

Jan. 24	Read first time	154
Jan. 25	Read second time. Referred to Committee on Labor and Public Welfare	172
Mar.. 6	Notice of hearing	498
Mar. 23	Indefinitely postponed	643

LEGISLATIVE BILL NO. 137. By Carsten, Doyle.

Jan. 24	Read first time	154
Jan. 25	Read second time. Referred to Committee on Revenue	172
Feb. 8	Motion ..	331
Mar. 1	Notice of hearing	479
Mar. 17	Indefinitely postponed	596

LEGISLATIVE BILL NO. 138. By Committee on Agriculture.

Jan. 25	Read first time	165
Jan. 27	Read second time. Referred to Committee on Agriculture	207
Feb. 1	Notice of hearing	292
Feb. 8	Placed on General File	325
Feb. 13	General File. Laid over	352
Feb. 14	Referred for review	363
Feb. 24	Placed on Select File	449
Feb. 27	Select File. Referred for engrossment	463
Mar. 9	Correctly engrossed	535
Mar. 13	Read third time and passed 38-0	567
Mar. 13	Statement ..	571
Mar. 16	Correctly enrolled	591
Mar. 16	Signed by President	593
Mar. 16	Presented to Governor	604
Mar. 17	Approved by Governor	607

LEGISLATIVE BILL NO. 139. By Committee on Education.

		Page
Jan. 25	Read first time	165
Jan. 27	Read second time. Referred to Commtitee on Education	207
Jan. 31	Notice of hearing	286
Feb. 15	Placed on General File	366
Feb. 23	General File. Referred for review	444
Mar. 1	Placed on Select File	485
Mar. 6	Select File. Laid over	511
Mar. 7	Referred for engrossment	517
Mar. 16	Correctly engrossed	591
Mar. 20	Read third time and passed 38-0	616
Mar. 22	Correctly enrolled	634
Mar. 22	Signed by President	634
Mar. 24	Presented to Governor	654
Mar. 25	Approved by Governor	684

LEGISLATIVE BILL NO. 140. By Committee on Education.

Jan. 25	Read first time	166
Jan. 27	Read second time. Referred to Committee on Education	208
Jan. 31	Notice of hearing	286
Feb. 14	Withdrawn. Correction	362
Feb. 14	Read first time	362
Feb. 14	Read second time. Referred to Committee on Education	363
Feb. 15	Notice of hearing	364
Feb. 22	Placed on General File	423
Feb. 23	General File. Laid over	444
Mar. 9	General File. Referred for review	541
Apr. 3	Placed on Select File	754
Apr. 5	Select File. Referred for engrossment	773
Apr. 11	Correctly engrossed	812
Apr. 14	Read third time and passed 34-4	853
Apr. 17	Correctly enrolled	868
Apr. 17	Signed by Speaker	868
Apr. 18	Presented to Governor	886
Apr. 20	Approved by Governor	910

LEGISLATIVE BILL NO. 141. By Klaver et al.

Jan. 25	Read first time	166
Jan. 27	Read second time. Referred to Committee on Labor and Public Welfare	208
Feb. 20	Notice of hearing	399

		Page
Mar. 17	Placed on General File	597
Apr. 18	Indefinitely postponed	878

LEGISLATIVE BILL NO. 142. By Garber, Reed.

Jan. 25	Read first time	166
Jan. 27	Withdrawn	208
Jan. 30	Read first time	262
Jan. 31	Read second time. Referred to Committee on Public Works	287
Feb. 9	Notice of hearing	334
Mar. 13	Indefinitely postponed	561

LEGISLATIVE BILL NO. 143. By Johnston.

Jan. 25	Read first time	167
Jan. 27	Read second time. Referred to Committee on Labor and Public Welfare	208
Feb. 20	Notice of hearing	399
Mar. 8	Indefinitely postponed	524
Mar. 10	Motion	552

LEGISLATIVE BILL NO. 144. By Johnston.

Jan. 27	Read first time	167
Jan. 27	Read second time. Referred to Committee on Public Works	208
Feb. 6	Notice of hearing	310
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 145. By Johnston.

Jan. 25	Read first time	167
Jan. 27	Read second time. Referred to Committee on Public Works	208
Feb. 6	Notice of hearing	310
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 146. By E. A. Adams et al.

Jan. 25	Read first time	167
Jan. 27	Read second time. Referred to Committee on Banking, Commerce and Insurance	208
Feb. 15	Notice of hearing	365
Feb. 22	Indefinitely postponed	423

LEGISLATIVE BILL NO. 147. By E. A. Adams, Rossiter.

		Page
Jan. 25	Read first time	167
Jan. 27	Read second time. Referred to Committee on Banking, Commerce and Insurance	208
Feb. 15	Notice of hearing	365
May 10	Placed on General File	548
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 148. By Gutoski.

Jan. 25	Read first time	168
Jan. 27	Read second time. Referred to Committee on Public Works	208
Feb. 9	Notice of hearing	334
Apr. 6	Placed on General File	780
May 31	Motion	1311
June 1	Motion	1321
June 1	General File. Referred for review	1324
June 2	Placed on Select File	1352
June 2	Select File. Referred for engrossment	1355
June 2	Unanimous consent amendment	1360
June 3	Correctly engrossed	1391
June 6	Read third time and passed 40-0	1411
June 6	Correctly enrolled	1417
June 6	Signed by President	1418
June 6	Presented to Governor	1425
June 8	Approved by Governor	1442

LEGISLATIVE BILL NO. 149. By Gutoski.

Jan. 25	Read first time	168
Jan. 27	Read second time. Referred to Committee on Public Works	208
Feb. 8	Motion	331
Feb. 9	Notice of hearing	334
Mar. 13	Indefinitely postponed	561
Mar. 15	Motion	582, 585
Mar. 16	Rereferred to Standing Committee	593
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 150. By Miller et al.

Jan. 25	Read first time	168
Jan. 27	Read second time. Referred to Committee on Government	208
Feb. 20	Notice of hearing	398

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Mar. 24	Placed on General File	651
May 31	Indefinitely postponed	1309

LEGISLATIVE BILL NO. 151. By Reavis.

Jan. 25	Read first time	168
Jan. 27	Read second time. Referred to Committee on Agriculture	208
Feb. 1	Referred to Committee on Judiciary	293
Feb. 14	Notice of hearing	357
Feb. 22	Indefinitely postponed	422

LEGISLATIVE BILL NO. 152. By Van Diest et al.

Jan. 25	Read first time	169
Jan. 27	Read second time. Referred to Committee on Education	208
Jan. 31	Notice of hearing	286
Mar. 6	Motion	513
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 153. By Klaver.

Jan. 25	Read first time	169
Jan. 27	Read second time. Referred to Committee on Judiciary	208
Mar. 10	Notice of hearing	543
Apr. 6	Indefinitely postponed	785

LEGISLATIVE BILL NO. 154. By Herrick.

Jan. 25	Read first time	169
Jan. 27	Read second time. Referred to Committee on Claims and Deficiencies	208
Mar. 15	Notice of hearing	580
Apr. 24	Placed on General File	914
May 12	Indefinitely postponed	1068

LEGISLATIVE BILL NO. 155. By Mischke et al.

Jan. 25	Read first time	169
Jan. 27	Read second time. Referred to Committee on Public Works	208
Mar. 23	Notice of hearing	641
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 156. By Thomas.

		Page
Jan. 25	Read first time	170
Jan. 27	Read second time. Referred to Committee on Labor and Public Welfare	208
Mar. 6	Notice of hearing	498
Apr. 11	Indefinitely postponed	812

LEGISLATIVE BILL NO. 157. By Thomas.

Jan. 25	Read first time	170
Jan. 27	Read second time. Referred to Committee on Judiciary	208
Feb. 6	Notice of hearing	310
Mar. 6	Indefinitely postponed	499

LEGISLATIVE BILL NO. 158. By Neubauer et al.

Jan. 25	Read first time	170
Jan. 27	Read second time. Referred to Committee on Education	208
Mar. 7	Notice of hearing	517
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 159. By Klaver.

Jan. 25	Read first time	170
Jan. 27	Read second time. Referred to Committee on Labor and Public Welfare	208
Feb. 27	Notice of hearing	455
Mar. 15	Indefinitely postponed	582

LEGISLATIVE BILL NO. 160. By Norman et al.

Jan. 25	Read first time	170
Jan. 27	Read second time. Referred to Committee on Government	208
Feb. 2	Notice of hearing	300
Feb. 9	Indefinitely postponed	334

LEGISLATIVE BILL NO. 161. By John Adams, Jr.

Jan. 25	Read first time	171
Jan. 27	Read second time. Referred to Committee on Labor and Public Welfare	208
Feb. 14	Notice of hearing	357
Mar. 8	Placed on General File	524
Mar. 21	Indefinitely postponed	625

LEGISLATIVE BILL NO. 162. By John Adams, Jr.

		Page
Jan. 25	Read first time	171
Jan. 27	Read second time. Referred to Committee on Labor and Public Welfare	208
Feb. 14	Notice of hearing	357
Mar. 8	Placed on General File	524
Mar. 30	General File. Laid over	725
Apr. 18	Indefinitely postponed	878

LEGISLATIVE BILL NO. 163. By John Adams, Jr.

Jan. 25	Read first time	171
Jan. 27	Read second time. Referred to Committee on Labor and Public Welfare	208
Feb. 14	Notice of hearing	357
Mar. 8	Indefinitely postponed	524

LEGISLATIVE BILL NO. 164. By Committee on Appropriations.

Jan. 26	Read first time	182
Jan. 27	Read second time. Referred to Committee on Appropriations	208
Jan. 30	Notice of hearing	213
Feb. 8	Placed on General File	326
Feb. 13	Referred for review	352
Feb. 16	Placed on Select File	381
Feb. 16	Select File. Referred for engrossment	382
Feb. 17	Correctly engrossed	392
Feb. 21	Read third time and passed 42-0	417
Feb. 22	Correctly enrolled	425
Feb. 22	Signed by President	426
Feb. 22	Presented to Governor	441
Feb. 23	Approved by Governor	445

LEGISLATIVE BILL NO. 165. By Reavis.

Jan. 26	Read first time	182
Jan. 27	Read second time. Referred to Committee on Government	208
Feb. 2	Notice of hearing	300
Feb. 9	Indefinitely postponed	334
Feb. 9	Motion. General File	334
Feb. 15	General File	376
Feb. 20	General File. Indefinitely postponed	408

LEGISLATIVE BILL NO. 166. By Reavis.

		Page
Jan. 26	Read first time	182
Jan. 27	Read second time. Referred to Committee on Government	208
Feb. 2	Notice of hearing	300
Feb. 9	Indefinitely postponed	334
Feb. 9	Motion. Placed on General File	334
Feb. 15	General File	376
Feb. 24	Indefinitely postponed	452

LEGISLATIVE BILL NO. 167. By Reavis.

Jan. 26	Read first time	182
Jan. 27	Read second time. Referred to Committee on Government	208
Feb. 2	Notice of hearing	300
Feb. 9	Indefinitely postponed	334
Feb. 9	Motion. Placed on General File	334
Feb. 15	General File	376
Feb. 24	Indefinitely postponed	452

LEGISLATIVE BILL NO. 168. By Mekota.

Jan. 26	Read first time	183
Jan. 27	Read second time. Referred to Committee on Public Works	208
Feb. 9	Motion. General File	335
Feb. 28	Notice of hearing	469
Apr. 3	Placed on General File	746
Apr. 21	Motion	908
Apr. 24	General File	916
Apr. 25	General File	929
May 1	General File	962, 963, 964
May 2	General File	980
May 3	General File. Referred for review	998
May 5	Placed on Select File	1019
May 8	Select File. Referred for engrossment	1023
May 10	Correction. Correctly engrossed	1039
May 15	Read third time and passed 39-1	1088
May 17	Correctly enrolled	1116
May 17	Signed by President	1116
May 17	Presented to Governor	1172
May 18	Approved by Governor	1173

LEGISLATIVE BILL NO. 169. By Miller, Thornton.

Jan. 26	Read first time	183

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Jan. 27	Read second time. Referred to Committee on Public Works	208
Feb. 28	Notice of hearing	469
Apr. 6	Indefinitely postponed	779

LEGISLATIVE BILL NO. 170. By Thornton, Miller.

Jan. 26	Read first time	183
Jan. 27	Read second time. Referred to Committee on Public Works	208
Feb. 28	Notice of hearing	469
Mar. 27	Placed on General File	674
Apr. 21	Motion	908
Apr. 24	General File	917, 920
May 1	General File	962, 963
May 2	General File	984
May 3	Motion	996
May 3	General File. Referred for review	998
May 3	Motion	1000
May 5	Placed on Select File	1020
May 8	Select File. Referred for engrossment	1024
May 10	Correctly engrossed	1039
May 15	Read third time and passed 40-0	1089
May 17	Correctly enrolled	1116
May 17	Signed by President	1116
May 17	Presented to Governor	1172
May 18	Approved by Governor	1173

LEGISLATIVE BILL NO. 171. By Mekota, Gantz.

Jan. 26	Read first time	183
Jan. 27	Read second time. Referred to Committee on Judiciary	208
Feb. 9	Notice of hearing	333
Mar. 14	Placed on General File	575
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 172. By Judiciary Committee.

Jan. 26	Read first time	184
Jan. 27	Read second time. Referred to Committee on Judiciary	208
Feb. 6	Notice of hearing	310
Feb. 16	Placed on General File	381
Mar. 10	General File. Laid over	551
Apr. 11	General File. Referred for review	815
Apr. 13	Placed on Select File	834

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Apr. 18	Select File. Laid over	870, 876
Apr. 19	Replaced on General File	887
Apr. 20	General File. Laid over	897
May 9	General File. Referred for review	1036
May 12	Replaced on Select File	1065
May 17	Select File. Referred for engrossment	1122, 1123
May 23	Correctly engrossed	1203
May 26	Replaced on Select File	1237
May 26	Select File. Laid over	1253
May 27	Select File. Referred for engrossment	1265
May 31	Correctly engrossed	1296
June 2	Motion	1362
June 3	Read third time and passed 28-8	1367
June 3	Correctly enrolled	1391
June 3	Signed by Speaker	1391
June 5	Presented to Governor	1392
June 5	Approved by Governor	1396

LEGISLATIVE BILL NO. 173. By Reavis.

Jan. 26	Read first time	184
Jan. 27	Read second time. Referred to Committee on Claims and Deficiencies	208
Mar. 1	Notice of hearing	479
Mar. 16	Placed on General File	587
May 16	General File. Referred for review	1111
May 19	Placed on Select File	1169
May 23	Select File. Referred for engrossment	1203
May 26	Correctly engrossed	1235
May 29	Read third time and passed 37-2	1274
May 29	Statement	1278
May 29	Correctly enrolled	1291
May 29	Signed by President	1292
May 31	Presented to Governor	1306
May 31	Approved by Governor	1322

LEGISLATIVE BILL NO. 174. By Gantz.

Jan. 26	Read first time	184
Jan. 27	Read second time. Referred to Committee on Government	208
Feb. 9	Notice of hearing	333
Feb. 27	Placed on General File	461
May 12	General File. Referred for review	1072
May 15	Placed on Select File	1078
May 15	Select File. Replaced on General File	1124
May 19	General File. Referred for engrossment	1178

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May 22	Replaced on Select File	1189
May 23	Referred for engrossment	1204
May 26	Correctly engrossed	1235
May 29	Read third time and passed 37-0	1271
May 29	Statement	1278
May 29	Correctly enrolled	1291
May 29	Signed by President	1292
May 31	Presented to Governor	1306
May 31	Approved by Governor	1322

LEGISLATIVE BILL NO. 175. By Mischke.

Jan. 26	Read first time	184
Jan. 27	Read second time. Referred to Committee on Agriculture	208
Feb. 10	Notice of hearing	340
Feb. 23	Placed on General File	434
Apr. 13	General File. Referred for review	833
Apr. 19	Placed on Select File	882
Apr. 20	Select File. Referred for engrossment	896
Apr. 24	Correctly engrossed	916
Apr. 26	Read third time and passed 34-0	941
Apr. 27	Correctly enrolled	948
Apr. 27	Signed by President	948
Apr. 27	Presented to Governor	958
May 1	Approved by Governor	976

LEGISLATIVE BILL NO. 176. By Callan (By request).

Jan. 26	Read first time	184
Jan. 27	Read second time. Referred to Committee on Public Works	208
Feb. 28	Notice of hearing	469
Apr. 28	Placed on General File	953
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 177. By Mekota.

Jan. 26	Read first time	185
Jan. 27	Read second time. Referred to Committee on Labor and Public Welfare	209
Mar. 6	Notice of hearing	498
Mar. 23	Indefinitely postponed	643

LEGISLATIVE BILL NO. 178. By Diers.

Jan. 26	Read first time	185

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Jan. 27	Read second time. Referred to Committee on Government	209
Feb. 8	Notice of hearing	325
Feb. 8	Referred to Committee on Appropriations	330
Apr. 14	Indefinitely postponed	842

LEGISLATIVE BILL NO. 179. By Committee on Education.

Jan. 26	Read first time	185
Jan. 27	Read second time. Referred to Committee on Education	209
Feb. 28	Notice of hearing	468
Mar. 22	Placed on General File	628
May 11	Referred for review	1060
May 15	Placed on Select File	1079
May 17	Select File. Referred for engrossment	1125
May 23	Replaced on Select File	1202
May 24	Select File. Referred for engrossment	1215
May 26	Correctly engrossed	1235
May 29	Read third time and passed 35-3	1275
May 29	Statement	1278
May 29	Correctly enrolled	1291
May 29	Signed by President	1292
May 31	Presented to Governor	1306
May 31	Approved by Governor	1322

LEGISLATIVE BILL NO. 180. By Ashmore et al.

Jan. 26	Read first time	186
Jan. 27	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	209
Feb. 6	Notice of hearing	310
Feb. 20	Placed on General File	399
Apr. 11	General File. Referred for review	817
Apr. 13	Placed on Select File	835
Apr. 14	Select File. Referred for engrossment	859
Apr. 18	Correctly engrossed	875
Apr. 20	Read third time and passed 42-0	892
Apr. 24	Correctly enrolled	916
Apr. 24	Signed by President	916
Apr. 25	Presented to Governor	932
Apr. 25	Approved by Governor	947

LEGISLATIVE BILL NO. 181. By Mueller, Klaver.

Jan. 26	Read first time	186
Jan. 27	Read second time. Referred to Committee on Labor and Public Welfare	209

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Feb. 15	Referred to Committee on Public Health and Miscellaneous Subjects	377
Mar. 6	Notice of hearing	498
Apr. 21	Placed on General File	900
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 182. By Craven.

Jan. 26	Read first time	186
Jan. 27	Read second time. Referred to Committee on Judiciary	209
Feb. 27	Notice of hearing	455
Mar. 27	Placed on General File	679
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 183. By Miller.

Jan. 26	Read first time	186
Jan. 27	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	209
Feb. 6	Notice of hearing	310
Feb. 20	Placed on General File	400
Apr. 11	General File. Indefinitely postponed	818

LEGISLATIVE BILL NO. 184. By Garber.

Jan. 26	Read first time	187
Jan. 27	Read second time. Referred to Committee on Public Works	209
Mar. 23	Notice of hearing	641
Mar. 27	Notice of hearing	663
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 185. By Murphy.

Jan. 26	Read first time	187
Jan. 27	Read second time. Referred to Committee on Public Works	209
Feb. 20	Notice of hearing	399
Mar. 6	Notice of hearing	498
Apr. 3	Placed on General File	742
Apr. 21	Motion	908
May 1	General File	962, 963
May 2	Motion	987
May 3	General File	999
May 18	Motion	1154
May 19	Indefinitely postponed	1179

LEGISLATIVE BILL NO. 186. By Dunn, Neubauer.

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Jan. 26	Read first time	187
Jan. 27	Read second time. Referred to Committee on Judiciary	209
Feb. 9	Notice of hearing	333
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 187. By Doyle.

Jan. 26	Read first time	187
Jan. 27	Read second time. Referred to Committee on Revenue	209
Mar. 10	Notice of hearing	544
Mar. 27	Indefinitely postponed	672

LEGISLATIVE BILL NO. 188. By Doyle.

Jan. 26	Read first time	188
Jan. 27	Read second time. Referred to Committee on Public Works	209
Feb. 13	Notice of hearing	349
Feb. 20	Referred to Committee on Banking, Commerce and Insurance	401
Feb. 24	Notice of hearing	447
Mar. 8	Indefinitely postponed	524

LEGISLATIVE BILL NO. 189. By Doyle.

Jan. 26	Read first time	188
Jan. 27	Read second time. Referred to Committee on Government	209
Feb. 13	Notice of hearing	348
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 190. By Reavis.

Jan. 26	Read first time	188
Jan. 27	Read second time. Referred to Committee on Revenue	209
Feb. 15	Notice of hearing	366
Apr. 5	Indefinitely postponed	766
Apr. 21	Motion. Placed on General File	908
May 1	General File	962, 963
May 2	Motion. General File	987
May 3	General File. Laid over	999
May 18	Motion	1154
May 19	Indefinitely postponed	1180

LEGISLATIVE BILL NO. 191. By Howard.

		Page
Jan. 26	Read first time	189
Jan. 27	Read second time. Referred to Committee on Education	209
Feb. 21	Notice of hearing	411
Feb. 28	Placed on General File	472
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 192. By Howard et al.

Jan. 26	Read first time	189
Jan. 27	Read second time. Referred to Committee on Public Works	209
Feb. 13	Notice of hearing	349
Feb. 23	Placed on General File	437
Apr. 13	Referred for review	836
Apr. 17	Placed on Select File	867
Apr. 18	Select File. Referred for engrossment	877
Apr. 21	Correctly engrossed	904
Apr. 25	Read third time and passed 36-1	927
Apr. 26	Correctly enrolled	948
Apr. 26	Signed by President	948
Apr. 27	Presented to Governor	958
May 2	Approved by Governor	987

LEGISLATIVE BILL NO. 193. By Hall.

Jan. 26	Read first time	189
Jan. 27	Read second time. Referred to Committee on Judiciary	209
Mar. 24	Notice of hearing	650
Apr. 7	Placed on General File	793
May 31	Motion	1311
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 194. By Doyle.

Jan. 26	Read first time	189
Jan. 27	Read second time. Referred to Committee on Public Works	209
Feb. 13	Notice of hearing	349
Mar. 23	Indefinitely postponed	643

LEGISLATIVE BILL NO. 195. By Tvrdik, Norman.

Jan. 26	Read first time	189
Jan. 27	Read second time. Referred to Committee on Labor ano Public Welfare	209

		Page
Feb. 24	Notice of hearing	447
Mar. 8	Indefinitely postponed	524

LEGISLATIVE BILL NO. 196. By Van Diest (By request).

Jan. 26	Read first time	190
Jan. 27	Read second time. Referred to Committee on Education	209
Feb. 21	Notice of hearing	411
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 197. By Murphy.

Jan. 26	Read first time	190
Jan. 27	Read second time. Referred to Committee on Public Works	209
Feb. 13	Notice of hearing	349
Apr. 6	Indefinitely postponed	779

LEGISLATIVE BILL NO. 198. By Rossiter.

Jan. 26	Read first time	190
Jan. 27	Read second time. Referred to Committee on Banking, Commerce and Insurance	209
Feb. 15	Notice of hearing	365
Feb. 24	Placed on General File	447
May 31	Motion	1310
May 31	General File. Referred for review	1311
June 2	Placed on Select File	1352
June 2	Select File. Referred for engrossment	1355
June 3	Correctly engrossed	1390
June 6	Read third time and passed 41-2	1402
June 6	Correctly enrolled	1408
June 6	Signed by Speaker	1408
June 6	Presented to Governor	1422
June 8	Approved by Governor	1442

LEGISLATIVE BILL NO. 199. By Herrick, Ashmore.

Jan. 26	Read first time	190
Jan. 27	Read second time. Referred to Committee on Public Works	209
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 200. By Klaver.

Jan. 26	Read first time	190
Jan. 27	Read second time. Referred to Committee on Judiciary	209

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Mar. 24	Notice of hearing	650
Apr. 3	Indefinitely postponed	751

LEGISLATIVE BILL NO. 201. By Hall.

Jan. 26	Read first time	191
Jan. 27	Read second time. Referred to Committee on Government	209
Mar. 16	Notice of hearing	587
Mar. 31	Indefinitely postponed	732

LEGISLATIVE BILL NO. 202. By Brodecky.

Jan. 27	Read first time	196
Jan. 30	Read second time. Referred to Committee on Agriculture	280
Jan. 31	Motion	286
Feb. 3	Notice of hearing	305
Mar. 17	Placed on General File	595
May 29	General File. Referred for review	1285
June 1	Placed on Select File	1319
June 2	Select File. Referred for engrossment	1348
June 3	Correctly engrossed	1391
June 6	Read third time and passed 29-9	1409
June 6	Correctly enrolled	1417
June 6	Signed by President	1418
June 6	Presented to Governor	1425
June 12	Approved by Governor	1442

LEGISLATIVE BILL NO. 203. By Brodecky.

Jan. 27	Read first time	196
Jan. 30	Read second time. Referred to Committee on Judiciary	280
Feb. 9	Notice of hearing	333
Mar. 6	Placed on General File	506
Mar. 9	Placed at head of General File	540
Mar. 9	General File. Referred for review	541
Mar. 16	Placed on Select File	590
Mar. 17	Referred for engrossment	605
Mar. 17	Correctly engrossed	606
Mar. 21	Read third time and passed 37-1	622
Mar. 21	Correctly enrolled	627
Mar. 21	Signed by President	627
Mar. 21	Presented to Governor	633
Mar. 21	Approved by Governor	644

LEGISLATIVE BILL NO. 204. By Brodecky.

		Page
Jan. 27	Read first time	196
Jan. 30	Read second time. Referred to Committee on Agriculture	280
Feb. 3	Notice of hearing	305
Mar. 1	Placed on General File	483
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 205. By Johnson, Westley.

Jan. 27	Read first time	196
Jan. 30	Read second time. Referred to Committee on Agriculture	280
Feb. 8	Notice of hearing	324
Feb. 15	Notice of hearing	364
Mar. 22	Placed on General File	630
May 29	Referred for review	1290
May 31	Placed on Select File. Referred for engrossment	1295, 1306
June 1	Correctly engrossed	1331
June 3	Read third time and passed 34-2	1379
June 3	Correctly enrolled	1391
June 3	Signed by Speaker	1391
June 5	Presented to Governor	1392
June 5	Approved by Governor	1396

LEGISLATIVE BILL NO. 206. By Reavis.

Jan. 27	Read first time	197
Jan. 30	Read second time. Referred to Committee on Public Works	280
Feb. 16	Notice of hearing	379
Apr. 3	Placed on General File	740
June 1	General File. Referred for review	1330
June 3	Placed on Select File. Referred for engrossment	1372, 1377
June 3	Correctly engrossed	1391
June 6	Read third time and passed 26-10	1413
June 6	Correctly enrolled	1417
June 6	Signed by President	1418
June 6	Presented to Governor	1425
June 10	Approved by Governor	1442

LEGISLATIVE BILL NO. 207. By Mekota.

Jan. 27	Read first time	197
Jan. 30	Read second time. Referred to Committee on Revenue	280

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Feb. 22	Notice of hearing	421
Mar. 1	Notice of hearing	479
Mar. 21	Placed on General File	621
May 29	General File. Referred for review	1286
June 1	Placed on Select File	1314
June 2	Select File. Referred for engrossment	1341
June 3	Correctly engrossed	1391
June 6	Read third time and passed 34-2	1406
June 6	Correctly enrolled	1415
June 6	Signed by President	1416
June 6	Presented to Governor	1425
June 8	Approved by Governor	1442

LEGISLATIVE BILL NO. 208. By Craven.

Jan. 27	Read first time	197
Jan. 30	Read second time. Referred to Committee on Agriculture	280
Feb. 8	Notice of hearing	325
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 209. By Gantz.

Jan. 27	Read first time	197
Jan. 30	Read second time. Referred to Committee on Judiciary	280
Feb. 6	Notice of hearing	310
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 210. By Gantz (By request).

Jan. 27	Read first time	197
Jan. 30	Read second time. Referred to Committee on Government	281
Feb. 24	Referred to Committee on Revenue	451
Mar. 1	Notice of hearing	479
Mar. 16	Indefinitely postponed	587

LEGISLATIVE BILL NO. 211. By Committee on Agriculture.

Jan. 27	Read first time	198
Jan. 30	Read second time. Referred to Committee on Agriculture	281
Feb. 8	Notice of hearing	325
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 212. By Neubauer.

		Page
Jan. 27	Read first time	198
Jan. 30	Read second time. Referred to Committee on Agriculture	281
Mar. 1	Notice of hearing	479
Mar. 9	Notice of hearing	530
Mar. 27	Placed on General File	675
May 31	General File. Referred for review	1309
June 1	Placed on Select File	1330
June 2	Select File. Referred for engrossment	1349
June 3	Correctly engrossed	1391
June 6	Read third time and passed 39-0	1410
June 6	Correctly enrolled	1417
June 6	Signed by President	1418
June 6	Presented to Governor	1425
June 8	Approved by Governor	1442

LEGISLATIVE BILL NO. 213. By Hall.

Jan. 27	Read first time	199
Jan. 30	Read second time. Referred to Committee on Banking, Commerce and Insurance	281
Feb. 15	Notice of hearing	365
Mar. 22	Placed on General File	629
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 214. By Johnson.

Jan. 27	Read first time	199
Jan. 30	Read second time. Referred to Committee on Revenue	281
Feb. 8	Notice of hearing	325
Feb. 17	Placed on General File	391
Mar. 14	General File. Referred for review	576
Mar. 22	Placed on Select File	630
Mar. 23	Select File. Referred for engrossment	644
Mar. 28	Correctly engrossed	696
Mar. 30	Read third time and passed 30-9	724
Mar. 31	Correctly enrolled	733
Mar. 31	Signed by President	733
Mar. 31	Presented to Governor	754
Apr. 1	Approved by Governor	756

LEGISLATIVE BILL NO. 215. By Carlson.

Jan. 27	Read first time	199

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Jan. 30 Read second time. Referred to Committee on Public Works 281
Feb. 16 Notice of hearing 379
Mar. 13 Indefinitely postponed 561
Mar. 14 Motion 575

LEGISLATIVE BILL NO. 216. By Hastings.

Jan. 27 Read first time 199
Jan. 30 Read second time. Referred to Committee on Government 281
Mar. 27 Notice of hearing 662
June 1 Indefinitely postponed 1338

LEGISLATIVE BILL NO. 217. By Dunn.

Jan. 27 Read first time 200
Jan. 30 Read second time. Referred to Committee on Banking, Commerce and Insurance 281
Mar. 1 Indefinitely postponed 480

LEGISLATIVE BILL NO. 218. By Committee on Education.

Jan. 27 Read first time 200
Jan. 30 Read second time. Referred to Committee on Education 281
Jan. 31 Notice of hearing 286
Feb. 15 Placed on General File 367
Feb. 20 Indefinitely postponed 408

LEGISLATIVE BILL NO. 219. By E. A. Adams, Tvrdik.

Jan. 27 Read first time 200
Jan. 30 Read second time. Referred to Committee on Revenue 281
Jan. 30 Motion 281
Feb. 22 Notice of hearing 422
Mar. 9 Indefinitely postponed 532
Mar. 13 Motion 573
Mar. 14 Returned to Standing Committee 575
May 10 Placed on General File 1040
May 31 Motion 1312
June 1 Indefinitely postponed 1337

LEGISLATIVE BILL NO. 220. By Peterson.

Jan. 27 Read first time 200
Jan. 30 Read second time. Referred to Committee on Public Health and Miscellaneous Subjects 281

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Feb. 23	Notice of hearing	434
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 221. By Peterson et al.

Jan. 27	Read first time	200
Jan. 30	Read second time. Referred to Committee on Judiciary	281
Feb. 14	Notice of hearing	357
Mar. 6	Placed on General File	501
May 12	General File. Laid over	1072
May 25	General File. Referred for review	1229
May 31	Placed on Select File. Referred for engrossment	1293, 1306
June 2	Correctly engrossed	1364
June 5	Motion	1393
June 5	Read third time and passed 26-14	1397
June 6	Correctly enrolled	1423
June 6	Signed by President	1424
June 6	Presented to Governor	1426
June 10	Approved by Governor	1442

LEGISLATIVE BILL NO. 222. By Peterson, Gross.

Jan. 27	Read first time	201
Jan. 30	Read second time. Referred to Committee on Judiciary	281
Feb. 14	Notice of hearing	357
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 223. By Peterson.

Jan. 27	Read first time	201
Jan. 30	Read second time. Referred to Committee on Public Works	281
Feb. 16	Notice of hearing	379
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 224. By Howard.

Jan. 27	Read first time	202
Jan. 30	Read second time. Referred to Committee on Public Works	281
Feb. 13	Notice of hearing	349
Apr. 6	Placed on General File	779
June 1	General File. Referred for review	1332
June 3	Placed on Select File	1382

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June 3	Select File. Referred for engrossment	1384
June 3	Correctly engrossed	1391
June 6	Read third time and passed 34-2	1418
June 6	Correctly enrolled	1423
June 6	Signed by President	1424
June 6	Presented to Governor	1426
June 8	Approved by Governor	1442

LEGISLATIVE BILL NO. 225. By Tvrdik.

Jan. 27	Read first time	202
Jan. 30	Read second time. Referred to Committee on Revenue	281
Mar. 8	Notice of hearing	523
Mar. 27	Indefinitely postponed	673

LEGISLATIVE BILL NO. 226. By Lambert.

Jan. 27	Read first time	202
Jan. 30	Read second time. Referred to Committee on Banking, Commerce and Insurance	281
Feb. 15	Notice of hearing	365
Mar. 1	Placed on General File	480
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 227. By Doyle.

Jan. 27	Read first time	203
Jan. 30	Read second time. Referred to Committee on Education	281
Mar. 7	Notice of hearing	517
Mar. 22	Placed on General File	628
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 228. By Doyle.

Jan. 27	Read first time	203
Jan. 30	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	281
Feb. 9	Notice of hearing	333
Feb. 24	Indefinitely postponed	448

LEGISLATIVE BILL NO. 229. By Doyle.

Jan. 27	Read first time	203
Jan. 30	Read second time. Referred to Committee on Public Works	281

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Feb. 16	Notice of hearing	379
Feb. 23	Indefinitely postponed	437

LEGISLATIVE BILL NO. 230. By Gutoski.

Jan. 27	Read first time	203
Jan. 30	Read second time. Referred to Committee on Government	281
Feb. 13	Notice of hearing	348
Feb. 28	Placed on General File	470
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 231. By Van Diest.

Jan. 27	Read first time	204
Jan. 30	Read second time. Referred to Committee on Banking, Commerce and Insurance	281
Feb. 15	Notice of hearing	365
Mar. 8	Notice of hearing	523
Mar. 23	Placed on General File	642
May 29	General File. Referred for review	1282
June 1	Placed on Select File	1314
June 2	Select File. Referred for engrossment	1348
June 3	Correctly engrossed	1391
June 6	Read third time and passed 37-1	1407
June 6	Correctly enrolled	1417
June 6	Signed by President	1418
June 6	Presented to Governor	1425
June 8	Approved by Governor	1442

LEGISLATIVE BILL NO. 232. By Tvrdik et al.

Jan. 27	Read first time	204
Jan. 30	Read second time. Referred to Committee on Government	281
Mar. 20	Notice of hearing	608
Mar. 27	Placed on General File	669
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 233. By Tvrdik et al.

Jan. 27	Read first time	204
Jan. 30	Read second time. Referred to Committee on Government	281
Mar. 20	Notice of hearing	608
Mar. 27	Placed on General File	672
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 234. By Tvrdik et al (By request).

		Page
Jan. 27	Read first time	204
Jan. 30	Read second time. Referred to Committee on Labor and Public Welfare	281
Mar. 6	Notice of hearing	498
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 235. By John Adams, Jr., Klaver.

Jan. 27	Read first time	205
Jan. 30	Read second time. Referred to Committee on Public Works	281
Feb. 28	Notice of hearing	469
Mar. 13	Placed on General File	561
Mar. 16	Motion	594
Mar. 17	Motion. Referred for review	604, 605
Mar. 22	Placed on Select File	630
Mar. 23	Select File	645
Mar. 28	Select File	705
Mar. 29	Select File	717
Mar. 30	Select File	725
Mar. 31	Select File. Referred for engrossment	734
Apr. 14	Replaced on Select File	845
Apr. 17	Select File. Laid over	870
Apr. 18	Select File. Referred for engrossment	877
Apr. 21	Consent to mimeograph	908
Apr. 25	Replaced on Select File	926
May 1	Select File. Referred for engrossment	960
May 3	Correctly engrossed	996
May 5	Read third time and passed 40-1	1016
May 8	Correctly enrolled	1023
May 8	Signed by President	1023
May 8	Presented to Governor	1040
May 12	Motion	1073
May 18	Special Order	1148
May 19	Returned by Governor. Replaced on Select File	1177
May 19	Select File. Referred for engrossment	1182
May 22	Replaced on Select File	1189
May 23	Select File. Laid over	1204
May 24	Select File	1220
May 25	Select File. Referred for engrossment	1228
May 29	Correctly engrossed	1271
June 2	Read third time and passed 38-0	1362
June 3	Correctly enrolled	1391
June 3	Signed by Speaker	1391

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June 5	Presented to Governor	1392
June 5	Approved by Governor	1396

LEGISLATIVE BILL NO. 236. By Klaver.

Jan. 27	Read first time	205
Jan. 30	Read second time. Referred to Committee on Judiciary	281
Mar. 9	Notice of hearing	531
Mar. 27	Placed on General File	679
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 237. By Mueller.

Jan. 27	Read first time	205
Jan. 30	Read second time. Referred to Committee on Revenue	281
Feb. 22	Notice of hearing	422
Mar. 1	Indefinitely postponed	480

LEGISLATIVE BILL NO. 238. By Dunn.

Jan. 27	Read first time	205
Jan. 30	Read second time. Referred to Committee on Government	281
Mar. 16	Notice of hearing	587
Mar. 24	Placed on General File	653
Apr. 18	Indefinitely postponed	878

LEGISLATIVE BILL NO. 239. By Tvrdik.

Jan. 27	Read first time	206
Jan. 30	Read second time. Referred to Committee on Government	281
Feb. 6	Notice of hearing	309
Feb. 28	Placed on General File	469
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 240. By Rossiter.

Jan. 27	Read first time	206
Jan. 30	Read second time. Referred to Committee on Agriculture	281
Feb. 10	Notice of hearing	341
Feb. 17	Placed on General File	391
Apr. 11	General File. Referred for review	817
Apr. 13	Placed on Select File	836

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Apr. 14	Select File. Referred for engrossment	859
Apr. 18	Correctly engrossed	875
Apr. 20	Read third time and passed 36-6	891
Apr. 21	Correctly enrolled	904
Apr. 21	Signed by Speaker	904
Apr. 22	Presented to Governor	927
Apr. 22	Approved by Governor	919

LEGISLATIVE BILL NO. 241. By Tvrdik, John Adams, Jr.

Jan. 27	Read first time	206
Jan. 30	Read second time. Referred to Committee on Government	281
Feb. 6	Notice of hearing	310
Feb. 23	Indefinitely postponed	441
Mar. 15	Rereferred to Committee on Government	584
Mar. 17	Placed on General File	596
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 242. By Tvrdik, John Adams, Jr.

Jan. 27	Read first time	206
Jan. 30	Read second time. Referred to Committee on Government	281
Feb. 6	Notice of hearing	310
Feb. 23	Indefinitely postponed	441

LEGISLATIVE BILL NO. 243. By Tvrdik, John Adams, Jr.

Jan. 27	Read first time	207
Jan. 30	Read second time. Referred to Committee on Government	281
Feb. 6	Notice of hearing	310
Feb. 27	Placed on General File	461
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 244. By Mischke.

Jan. 27	Read first time	207
Jan. 30	Read second time. Referred to Committee on Education	281
Feb. 28	Notice of hearing	468
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 245. By Comm. on Claims and Deficiencies.

Jan. 27	Read first time	207

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Jan. 30	Read second time. Referred to Committee on Claims and Deficiencies	281
Mar. 8	Notice of hearing	523
Mar. 15	Referred to Committee on Government	581
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 246. By Craven.

Jan. 30	Read first time	216
Jan. 31	Read second time. Referred to Committee on Judiciary	287
Mar. 24	Notice of hearing	651
Apr. 6	Indefinitely postponed	785

LEGISLATIVE BILL NO. 247. By Craven.

Jan. 30	Read first time	216
Jan. 31	Read second time. Referred to Committee on Revenue	287
Feb. 1	Referred to Committee on Public Works	293
Feb. 15	Notice of hearing	366
Mar. 9	Indefinitely postponed	532

LEGISLATIVE BILL NO. 248. By Craven.

Jan. 30	Read first time	216
Jan. 31	Read second time. Referred to Committee on Judiciary	287
Mar. 10	Notice of hearing	543
Apr. 6	Indefinitely postponed	785

LEGISLATIVE BILL NO. 249. By Craven.

Jan. 30	Read first time	216
Jan. 31	Read second time. Referred to Committee on Judiciary	287
Mar. 10	Notice of hearing	543
Mar. 27	Placed on General File	679
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 250. By Craven (By request).

Jan. 30	Read first time	216
Jan. 31	Read second time. Referred to Committee on Government	287
Mar. 27	Notice of hearing	662
Apr. 3	Placed on General File	747
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 251. By Craven.

		Page
Jan. 30	Read first time	217
Jan. 31	Read second time. Referred to Committee on Judiciary	287
Mar. 10	Notice of hearing	543
Mar. 27	Placed on General File	679
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 252. By Craven.

Jan. 30	Read first time	217
Jan. 31	Read second time. Referred to Committee on Judiciary	287
Feb. 14	Notice of hearing	357
Mar. 27	Indefinitely postponed	679

LEGISLATIVE BILL NO. 253. By Craven.

Jan. 30	Read first time	217
Jan. 31	Read second time. Referred to Committee on Public Works	287
Feb. 28	Notice of hearing	469
Apr. 13	Placed on General File	832
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 254. By Craven.

Jan. 30	Read first time	217
Jan. 31	Read second time. Referred to Committee on Judiciary	287
Mar. 10	Notice of hearing	543
Mar. 27	Placed on General File	679
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 255. By Craven.

Jan. 30	Read first time	217
Jan. 31	Read second time. Referred to Committee on Public Works	287
Feb. 16	Notice of hearing	379
Apr. 6	Indefinitely postponed	779

LEGISLATIVE BILL NO. 256. By Hall.

Jan. 30	Read first time	218
Jan. 31	Read second time. Referred to Committee on Public Works	287

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Feb. 16	Notice of hearing	379
Apr. 6	Placed on General File	779
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 257. By Hall.

Jan. 30	Read first time	218
Jan. 31	Read second time. Referred to Committee on Banking, Commerce and Insurance	287
Feb. 15	Notice of hearing	365
Feb. 24	Placed on General File	447
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 258. By Reavis.

Jan. 30	Read first time	218
Jan. 31	Read second time. Referred to Committee on Banking, Commerce and Insurance	287
Feb. 15	Notice of hearing	366
Mar. 27	Placed on General File	674
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 259. By E. A. Adams, Hall.

Jan. 30	Read first time	218
Jan. 31	Read second time. Referred to Committee on Banking, Commerce and Insurance	288
Feb. 15	Notice of hearing	366
Mar. 7	Motion	520, 523
May 10	Indefinitely postponed	1040

LEGISLATIVE BILL NO. 260. By Dunn.

Jan. 30	Read first time	218
Jan. 31	Read second time. Referred to Committee on Banking, Commerce and Insurance	288
Feb. 15	Notice of hearing	366
Mar. 7	Motion	520, 523
Mar. 29	Notice of hearing	707
Apr. 5	Placed on General File	765
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 261. By Dunn.

Jan. 30	Read first time	218
Jan. 31	Read second time. Referred to Committee on Banking, Commerce and Insurance	288

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Feb. 15	Notice of hearing	365
Mar. 22	Indefinitely postponed	629

LEGISLATIVE BILL NO. 262. By Dunn et al.

Jan. 30	Read first time	219
Jan. 31	Read second time. Referred to Committee on Labor and Public Welfare	288
Feb. 7	Notice of hearing	318
Mar. 23	Placed on General File	643
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 263. By Dunn et al.

Jan. 30	Read first time	219
Jan. 31	Read second time. Referred to Committee on Revenue	288
Mar. 1	Notice of hearing	479
Mar. 10	Placed on General File	547
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 264. By Dunn.

Jan. 30	Read first time	219
Jan. 31	Read second time. Referred to Committee on Revenue	288
Feb. 24	Notice of hearing	447
Mar. 17	Placed on General File	596
Mar. 23	Motion	645
Mar. 24	Motion	655
Mar. 31	Referred for review	735
Apr. 3	Placed on Select File	753
Apr. 5	Select File. Referred for engrossment	773
Apr. 11	Correctly engrossed	812
Apr. 17	Read third time and passed 33-4	869
Apr. 18	Correctly enrolled	875
Apr. 18	Signed by President	875
Apr. 18	Presented to Governor	886
Apr. 20	Approved by Governor	910

LEGISLATIVE BILL NO. 265. By Dunn.

Jan. 30	Read first time	219
Jan. 31	Read second time. Referred to Committee on Labor and Public Welfare	288
Feb. 20	Notice of hearing	399

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Mar. 8	Placed on General File	524
Apr. 18	Indefinitely postponed	878

LEGISLATIVE BILL NO. 266. By Dunn.

Jan. 30	Read first time	220
Jan. 31	Read second time. Referred to Committee on Judiciary	288
Feb. 9	Notice of hearing	333
Mar. 27	Placed on General File	679
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 267. By Craven.

Jan. 30	Read first time	220
Jan. 31	Read second time. Referred to Committee on Judiciary	288
Feb. 14	Notice of hearing	357
Apr. 6	Indefinitely postponed	785

LEGISLATIVE BILL NO. 268. By Craven.

Jan. 30	Read first time	220
Jan. 31	Read second time. Referred to Committee on Judiciary	288
Mar. 24	Notice of hearing	650
Mar. 30	Placed on General File	722
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 269. By Van Diest.

Jan. 30	Read first time	220
Jan. 31	Read second time. Referred to Committee on Education	288
Feb. 28	Notice of hearing	468
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 270. By Dunn.

Jan. 30	Read first time	220
Jan. 31	Read second time. Referred to Committee on Labor and Public Welfare	288
Feb. 20	Notice of hearing	399
Mar. 8	Placed on General File	524
Mar. 21	General File. Laid over	626
Apr. 17	General File. Laid over	873
Apr. 18	General File. Referred for review	878

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Apr. 19	Placed on Select File	886
Apr. 20	Select File. Referred for engrosssment	896
Apr. 24	Correctly engrossed	916
Apr. 26	Read third time and passed 37-0	942
Apr. 27	Correctly enrolled	948
Apr. 27	Signed by President	948
Apr. 27	Presented to Governor	958
Apr. 29	Approved by Governor	977

LEGISLATIVE BILL NO. 271. By Dunn.

Jan. 30	Read first time	221
Jan. 31	Read second time. Referred to Committee on Labor and Public Welfare	288
Feb. 7	Notice of hearing	318
Mar. 15	Indefinitely postponed	582

LEGISLATIVE BILL NO. 272. By Reed, Van Diest.

Jan. 30	Read first time	221
Jan. 31	Read second time. Referred to Committee on Agriculture	288
Feb. 10	Notice of hearing	341
Mar. 10	Placed on General File	546
May 9	Motion	1035
May 9	General File. Referred for review	1035
May 12	Placed on Select File	1066
May 17	Select File. Referred for engrossment	1122, 1123
May 23	Correctly engrossed	1203
May 26	Read third time and passed 39-0	1248
May 27	Correctly enrolled	1259
May 27	Signed by President	1259
May 27	Presented to Governor	1269
May 29	Approved by Governor	1280

LEGISLATIVE BILL NO. 273. By Van Diest et al.

Jan. 30	Read first time	221
Jan. 31	Read second time. Referred to Committee on Public Works	288
Feb. 16	Notice of hearing	379
Mar. 13	Placed on General File	561
May 27	Indefinitely postponed	1268

LEGISLATIVE BILL NO. 274. By Hastings.

Jan. 30	Read first time	222

		Page
Jan. 31	Read second time. Referred to Committee on Banking, Commerce and Insurance	288
Feb. 15	Notice of hearing	365
Mar. 9	Placed on General File	534
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 275. By Reavis.

Jan. 30	Read first time	222
Jan. 31	Read second time. Referred to Committee on Public Works	288
Feb. 28	Notice of hearing	469
Apr. 6	Placed on General File	779
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 276. By Carsten.

Jan. 30	Read first time	222
Jan. 31	Read second time. Referred to Committee on Public Works	288
Feb. 16	Notice of hearing	379
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 277. By Carsten.

Jan. 30	Read first time	222
Jan. 31	Read second time. Referred to Committee on Agriculture	288
Feb. 24	Notice of hearing	446
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 278. By Carsten.

Jan. 30	Read first time	222
Jan. 31	Read second time. Referred to Committee on Agriculture	288
Mar. 1	Notice of hearing	479
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 279. By Dunn.

Jan. 30	Read first time	223
Jan. 31	Read second time. Referred to Committee on Labor and Public Welfare	288
Feb. 24	Notice of hearing	447
Apr. 7	Placed on General File	793
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 280. By Dunn.

		Page
Jan. 30	Read first time	223
Jan. 31	Read second time. Referred to Committee on Banking, Commerce and Insurance	288
Feb. 15	Notice of hearing	365
Feb. 22	Indefinitely postponed	423

LEGISLATIVE BILL NO. 281. By Dunn.

Jan. 30	Read first time	223
Jan. 31	Read second time. Referred to Committee on Banking, Commerce and Insurance	288
Feb. 15	Notice of hearing	365
Mar. 7	Motion	520, 523
Apr. 12	Notice of hearing	820
May 10	Indefinitely postponed	1040

LEGISLATIVE BILL NO. 282. By Gross, Howard.

Jan. 30	Read first time	223
Jan. 31	Read second time. Referred to Committee on Agriculture	288
Feb. 10	Notice of hearing	341
Feb. 17	Notice of hearing	391
Mar. 9	Placed on General File	532
May 12	General File. Referred for review	1074
May 16	Placed on Select File	1098
May 18	Select File. Referred for engrossment	1151
May 23	Specific instructions	1207
May 26	Replaced on Select File	1235
May 26	Select File. Referred for engrossment	1253
May 29	Correctly engrossed	1271
June 2	Read third time and passed 23-9	1359
June 3	Correctly enrolled	1391
June 3	Signed by Speaker	1391
June 5	Presented to Governor	1425
June 6	Vetoed by Governor	1422

LEGISLATIVE BILL NO. 283. By Brady.

Jan. 30	Read first time	223
Jan. 31	Read second time. Referred to Committee on Agriculture	288
Feb. 17	Notice of hearing	391
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 284. By Thornton.

		Page
Jan. 30	Read first time	224
Jan. 31	Read second time. Referred to Committee on Judiciary	288
Mar. 9	Notice of hearing	531
Mar. 27	Indefinitely postponed	679

LEGISLATIVE BILL NO. 285. By Von Seggern et al.

Jan. 30	Read first time	224
Jan. 31	Read second time. Referred to Committee on Government	288
Feb. 27	Notice of hearing	455
Mar. 24	Placed on General File	651
Mar. 30	Motion	725
Mar. 31	General File. Referred for review	735
Apr. 5	Placed on Select File	766
Apr. 6	Indefinitely postponed	790

LEGISLATIVE BILL NO. 286. By Von Seggern et al.

Jan. 30	Read first time	224
Jan. 31	Read second time. Referred to Committee on Government	288
Feb. 27	Notice of hearing	455
Mar. 24	Placed on General File	652
Mar. 30	Motion	725
Apr. 7	Placed at foot of General File	802
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 287. By Diers.

Jan. 30	Read first time	224
Jan. 31	Read second time. Referred to Committee on Agriculture	288
Mar. 9	Notice of hearing	530
Mar. 24	Indefinitely postponed	651

LEGISLATIVE BILL NO. 288. By Diers.

Jan. 30	Read first time	225
Jan. 31	Read second time. Referred to Committee on Revenue	289
Feb. 24	Notice of hearing	447
Mar. 10	Placed on General File	547
Mar. 22	Motion. Referred for review	639

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Mar. 27	Placed on Select File	682
Mar. 28	Select File. Referred for engrossment	704
Mar. 29	Correctly engrossed. Referred for reengrossment	709
Mar. 31	Correctly reengrossed	733
Apr. 5	Read third time and failed of passage with emergency clause 18-22	769
Apr. 5	Read third time and failed of passage with emergency clause stricken 18-21	769

LEGISLATIVE BILL NO. 289. By Diers, Johnston.

Jan. 30	Read first time	225
Jan. 31	Read second time. Referred to Committee on Agriculture	289
Feb. 17	Notice of hearing	390
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 290. By Hastings.

Jan. 30	Read first time	225
Jan. 31	Read second time. Referred to Committee on Government	289
Feb. 16	Notice of hearing	379
Feb. 23	Placed on General File	440
Apr. 13	Indefinitely postponed	838

LEGISLATIVE BILL NO. 291. By Hastings.

Jan. 30	Read first time	225
Jan. 31	Read second time. Referred to Committee on Government	289
Feb. 16	Notice of hearing	379
Mar. 13	Placed on General File	557
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 292. By Von Seggern (By request).

Jan. 30	Read first time	226
Jan. 31	Read second time. Referred to Committee on Agriculture	289
Mar. 9	Notice of hearing	531
Mar. 29	Indefinitely postponed	708

LEGISLATIVE BILL NO. 293. By Hall.

Jan. 30	Read first time	226
Jan. 31	Read second time. Referred to Committee on Judiciary	289

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Feb. 9	Notice of hearing	333
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 294. By Hall.

Jan. 30	Read first time	226
Jan. 31	Read second time. Referred to Committee on Public Works	289
Feb. 28	Notice of hearing	469
Mar. 24	Placed on General File	653
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 295. By Hall.

Jan. 30	Read first time	226
Jan. 31	Read second time. Referred to Committee on Banking, Commerce and Insurance	289
Feb. 15	Notice of hearing	365
Mar. 1	Placed on General File	480
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 296. By Hall.

Jan. 30	Read first time	226
Jan. 31	Read second time. Referred to Committee on Government	289
Mar. 27	Notice of hearing	662
Apr. 3	Placed on General File	747
May 29	Motion	1286
June 1	General File. Referred for review	1332
June 3	Placed on Select File	1381
June 3	Select File. Referred for engrossment	1384
June 3	Correctly engrossed	1391
June 6	Read third time and passed 31-7	1414
June 6	Correctly enrolled	1417
June 6	Signed by President	1418
June 6	Presented to Governor	1425
June 8	Approved by Governor	1442

LEGISLATIVE BILL NO. 297. By Hastings et al.

Jan. 30	Read first time	227
Jan. 31	Read second time. Referred to Committee on Government	289
Mar. 20	Notice of hearing	609
Mar. 27	Placed on General File	672
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 298. By Mischke.

		Page
Jan. 30	Read first time	227
Jan. 31	Read second time. Referred to Committee on Agriculture	289
Feb. 10	Notice of hearing	341
Mar. 16	Placed on General File	588
May 29	Indefinitely postponed	1290

LEGISLATIVE BILL NO. 299. By Gantz.

Jan. 30	Read first time	227
Jan. 31	Read second time. Referred to Committee on Judiciary	289
Feb. 23	Notice of hearing	434
Apr. 6	Placed on General File	782
May 1	Motion	964
May 2	Motion	980
May 11	General File. Referred for review	1061
May 15	Placed on Select File	1077
May 17	Select File. Referred for engrossment	1124
May 23	Correctly engrossed	1203
May 26	Read third time and passed 36-0	1247
May 27	Correctly enrolled	1259
May 27	Signed by President	1259
May 27	Presented to Governor	1269
May 29	Approved by Governor	1280

LEGISLATIVE BILL NO. 300. By Gantz.

Jan. 30	Read first time	227
Jan. 31	Read second time. Referred to Committee on Judiciary	289
Feb. 23	Notice of hearing	434
Apr. 6	Placed on General File	783
May 1	Motion	964
May 2	Motion	980
May 11	General File. Referred for review	1061
May 15	Placed on Select File	1077
May 17	Select File. Referred for engrossment	1124
May 23	Correctly engrossed	1203
May 26	Read third time and passed 37-0	1246
May 27	Correctly enrolled	1266
May 27	Signed by President	1266
May 29	Presented to Governor	1306
May 29	Approved by Governor	1305

LEGISLATIVE BILL NO. 301. By Gantz.

		Page
Jan. 30	Read first time	228
Jan. 31	Read second time. Referred to Committee on Judiciary	289
Feb. 23	Notice of hearing	434
Apr. 6	Placed on General File	783
May 1	Motion	964
May 2	Motion	980
May 11	Referred for review	1061
May 18	Placed on Select File	1129
May 19	Select File	1176
May 25	Referred for engrossment	1227
May 29	Correctly engrossed	1271
June 2	Read third time and passed 33-1	1357
June 3	Correctly enrolled	1391
June 3	Signed by Speaker	1391
June 5	Presented to Governor	1392
June 5	Approved by Governor	1396

LEGISLATIVE BILL NO. 302. By Tvrdik.

Jan. 30	Read first time	228
Jan. 31	Read second time. Referred to Committee on Government	289
Feb. 27	Notice of hearing	455
Mar. 17	Placed on General File	596
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 303. By Johnson.

Jan. 30	Read first time	228
Jan. 31	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	289
Feb. 23	Notice of hearing	434
Mar. 27	Placed on General File	663
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 304. By Johnson.

Jan. 30	Read first time	228
Jan. 31	Read second time. Referred to Committee on Banking, Commerce and Insurance	289
Feb. 15	Notice of hearing	365
Feb. 22	Placed on General File	423
Apr. 12	Referred for review	827
Apr. 14	Placed on Select File	844

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Apr. 17	Select File. Referred for engrossment	870
Apr. 18	Correctly engrossed	875
Apr. 20	Read third time and passed 31-6	891
Apr. 24	Correctly enrolled	916
Apr. 24	Signed by President	916
Apr. 25	Presented to Governor	932
Apr. 25	Approved by Governor	947

LEGISLATIVE BILL NO. 305. By Johnson.

Jan. 30	Read first time	229
Jan. 31	Read second time. Referred to Committee on Labor and Public Welfare	289
Mar. 6	Notice of hearing	498
Mar. 28	Placed on General File	694
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 306. By Howard.

Jan. 30	Read first time	229
Jan. 31	Read second time. Referred to Committee on Public Works	289
Feb. 9	Notice of hearing	334
Apr. 6	Indefinitely postponed	779

LEGISLATIVE BILL NO. 307. By Brady.

Jan. 30	Read first time	229
Jan. 31	Read second time. Referred to Committee on Government	289
Mar. 27	Notice of hearing	663
Apr. 17	Placed on General File	865
May 15	Motion	1093
May 16	General File. Referred for review	1105
May 19	Placed on Select File	1172
May 23	Select File. Referred for engrossment	1204
May 26	Correctly engrossed	1235
May 29	Read third time and passed 39-1	1274
May 29	Statement for Journal	1278
May 29	Correctly enrolled	1291
May 29	Signed by President	1292
May 31	Presented to Governor	1306
June 1	Approved by Governor	1322

LEGISLATIVE BILL NO. 308. By Brady.

Jan. 30	Read first time	229

		Page
Jan. 31	Read second time. Referred to Committee on Government	289
Mar. 27	Notice of hearing	663
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 309. By Howard et al.

Jan. 30	Read first time	230
Jan. 31	Read second time. Referred to Committee on Agriculture	289
Feb. 17	Notice of hearing	391
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 310. By Craven, Johnston.

Jan. 30	Read first time	230
Feb. 1	Read second time. Referred to Committee on Public Works	294
Mar. 21	Notice of hearing	619
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 311. By Mischke.

Jan. 30	Read first time	230
Feb. 1	Read second time. Referred to Committee on Revenue	294
Mar. 10	Notice of hearing	544
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 312. By Herrick et al.

Jan. 30	Read first time	231
Feb. 1	Read second time. Referred to Committee on Appropriations	294
Feb. 8	Notice of hearing	325
Mar. 24	Indefinitely postponed	651

LEGISLATIVE BILL NO. 313. By Craven, Brady.

Jan. 30	Read first time	231
Feb. 1	Read second time. Referred to Committee on Banking, Commerce and Insurance	294
Feb. 15	Notice of hearing	366
Mar 7	Motion	520, 523
Apr. 12	Notice of hearing	820
May 10	Placed on General File	1041
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 314. By Rossiter, Hall.

		Page
Jan. 30	Read first time	232
Feb. 1	Read second time. Referred to Committee on Banking, Commerce and Insurance	294
Feb. 14	Referred to Committee on Appropriations	357
Feb. 21	Notice of hearing	410
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 315. By Herrick.

Jan. 30	Read first time	232
Feb. 1	Read second time.. Referred to Committee on Education	294
Feb. 21	Notice of hearing	411
Feb. 28	Placed on General File	472
Mar. 7	Returned to Standing Committee	517
Mar. 14	Notice of hearing	574
Mar. 22	Replaced on General File	629
Mar. 22	Motion	634
May 10	Motion	1053
May 12	General File. Referred for review	1072
May 16	Placed on Select File	1097
May 18	Select File. Referred for engrossment	1150
May 23	Correctly engrossed	1203
May 26	Read third time and failed of passage with emergency clause 16-16	1245
May 26	Read third time and passed with emergency clause stricken 26-7	1246
May 27	Correctly enrolled	1266
May 27	Signed by President	1266
May 29	Presented to Governor	1306
June 2	Approved by Governor	1346

LEGISLATIVE BILL NO. 316. By Craven.

Jan. 30	Read first time	232
Feb. 1	Read second time. Referred to Committee on Agriculture	294
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 317. By Herrick.

Jan. 30	Read first time	233
Feb. 1	Read second time. Referred to Committee on Public Works	294
Mar. 21	Notice of hearing	619

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Apr. 24	Placed on General File	912
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 318. By Gantz et al.

Jan. 30	Read first time	233
Feb. 1	Read second time. Referred to Committee on Judiciary	294
Feb. 27	Notice of hearing	455
Mar. 13	Placed on General File	556
May 31	Motion	1311
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 319. By Gantz.

Jan. 30	Read first time	233
Feb. 1	Read second time. Referred to Committee on Public Works	294
Feb. 16	Notice of hearing	380
Apr. 3	Placed on General File	740
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 320. By Gantz.

Jan. 30	Read first time	234
Feb. 1	Read second time. Referred to Committee on Government	294
Mar. 20	Notice of hearing	609
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 321. By Brodecky.

Jan. 30	Read first time	234
Feb. 1	Read second time. Referred to Committee on Agriculture	294
Mar. 9	Notice of hearing	531
Mar. 24	Indefinitely postponed	651

LEGISLATIVE BILL NO. 322. By Lambert.

Jan. 30	Read first time	234
Feb. 1	Read second time. Referred to Committee on Public Works	294
Mar. 10	Notice of hearing	544
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 323. By Lambert.

		Page
Jan. 30	Read first time	234
Feb. 1	Read second time. Referred to Committee on Government	294
Mar. 23	Notice of hearing	640
Mar. 31	Indefinitely postponed	732

LEGISLATIVE BILL NO. 324. By Miller et al.

Jan. 30	Read first time	234
Feb. 1	Read second time. Referred to Committee on Government	294
Feb. 27	Notice of hearing	454
Mar. 27	Placed on General File	667
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 325. By Miller.

Jan. 30	Read first time	235
Feb. 1	Read second time. Referred to Committee on Government	294
Mar. 23	Notice of hearing	640
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 326. By Miller.

Jan. 30	Read first time	235
Feb. 1	Motion. Withdrawn	293
Feb. 13	Read first time	351
Feb. 13	Read second time. Referred to Committee on Government	352
Feb. 20	Notice of hearing	399
Mar. 13	Placed on General File	561
May 4	Motion	1004
May 8	General File. Referred for review	1027
May 17	Placed on Select File	1113
May 18	Select File. Referred for engrossment	1153
May 19	Specific instructions	1183
May 23	Correctly engrossed	1203
May 26	Motion	1250, 1251
May 27	Select File. Referred for engrossment	1262, 1265
May 31	Correctly engrossed	1296
June 2	Motion	1362
June 3	Read third time and passed 33-6	1368
June 3	Correctly enrolled	1391
June 3	Signed by Speaker	1391

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June 5	Presented to Governor	1392
June 10	Approved by Governor	1442

LEGISLATIVE BILL NO. 327. By Miller.

Jan. 30	Read first time	235
Feb. 1	Motion. Withdrawn	293
Feb. 13	Read first time	351
Feb. 13	Read second time. Referred to Committee on Government	352
Feb. 20	Notice of hearing	399
Mar. 10	Placed on General File	547
May 4	Motion	1004
May 8	General File. Referred for review	1026
May 15	Placed on Select File	1080
May 17	Select File. Referred for engrossment	1126
May 23	Correctly engrossed	1203
May 26	Read third time and passed 37-0	1244
May 27	Correctly enrolled	1259
May 27	Signed by President	1259
May 27	Presented to Governor	1269
May 29	Approved by Governor	1280

LEGISLATIVE BILL NO. 328. By Miller.

Jan. 30	Read first time	236
Feb. 1	Read second time. Referred to Committee on Government	294
Mar. 23	Notice of hearing	640
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 329. By Miller.

Jan. 30	Read first time	237
Feb. 1	Read second time. Referred to Committee on Education	294
Mar. 7	Notice of hearing	517
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 330. By Murphy, Dunn.

Jan. 30	Read first time	237
Feb. 1	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	294
Feb. 23	Notice of hearing	434
Mar. 27	Placed on General File	663
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 331. By Miller.

		Page
Jan. 30	Read first time	237
Feb. 1	Read second time. Referred to Committee on Public Works	294
Feb. 28	Notice of hearing	469
Mar. 23	Placed on General File	643
May 15	Motion	1093
May 16	General File. Referred for review	1104
May 19	Replaced on General File	1183
May 19	General File. Referred for review	1184
May 23	Placed on Select File	1193
May 24	Referred for engrossment	1214
May 25	Correctly engrossed	1230
May 27	Read third time and passed 35-0	1262
May 29	Correctly enrolled	1281
May 29	Signed by President	1281
May 31	Presented to Governor	1306
May 31	Approved by Governor	1322

LEGISLATIVE BILL NO. 332. By Johnson et al.

Jan. 30	Read first time	238
Feb. 1	Read second time. Referred to Committee on Judiciary	294
Feb. 27	Notice of hearing	455
Mar. 13	Placed on General File	556
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 333. By Miller, Murphy.

Jan. 30	Read first time	238
Feb. 1	Read second time. Referred to Committee on Agriculture	294
Feb. 17	Notice of hearing	390
Feb. 24	Notice of hearing	447
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 334. By Murphy, Howard.

Jan. 30	Read first time	238
Feb. 1	Read second time. Referred to Committee on Agriculture	294
Feb. 17	Notice of hearing	390
Mar. 16	Placed on General File	588
June 1	Indefinitely postponed	1337

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LEGISLATIVE BILL NO. 335. By Murphy (By request).

Jan. 30	Read first time	239
Feb. 1	Read second time. Referred to Committee on Public Works	294
Feb. 16	Notice of hearing	380
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 336. By Brodecky et al.

Jan. 30	Read first time	239
Feb. 1	Read second time. Referred to Committee on Government	294
Feb. 1	Motion	297
Mar. 23	Notice of hearing	640
Apr. 3	Placed on General File	747
June 1	General File. Referred for review	1332
June 3	Placed on Select File	1383
June 3	Select File. Referred for engrossment	1385
June 3	Correctly engrossed	1391
June 6	Read third time and passed 36-0	1419
June 6	Correctly enrolled	1423
June 6	Signed by President	1424
June 6	Presented to Governor	1426
June 8	Approved by Governor	1442

LEGISLATIVE BILL NO. 337. By Miller.

Jan. 30	Read first time	239
Feb. 1	Read second time. Referred to Committee on Government	295
Mar. 23	Notice of hearing	640
Mar. 31	Indefinitely postponed	733

LEGISLATIVE BILL NO. 338. By Rossiter, Schultz.

Jan. 30	Read first time	239
Feb. 1	Read second time. Referred to Committee on Government	295
Feb. 27	Notice of hearing	454
Mar. 10	Placed on General File	547
Mar. 29	Referred for review	719
Apr. 3	Placed on Select File	753
Apr. 5	Select File. Laid over	773
Apr. 14	Replaced on General File	858
Apr. 14	General File. Referred for review	860
Apr. 14	Motion	863

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Apr. 18	Replaced on Select File	874
Apr. 18	Select File. Referred for engrossment	877
Apr. 19	Correctly engrossed	886
Apr. 21	Read third time and passed 34-5	904
Apr. 21	Correctly enrolled	909
Apr. 21	Signed by President	909
Apr. 22	Presented to Governor	927
Apr. 22	Approved by Governor	919

LEGISLATIVE BILL NO. 339. By Miller.

Jan. 30	Read first time	240
Feb. 1	Read second time. Referred to Committee on Public Works	295
Feb. 28	Notice of hearing	469
Mar. 9	Placed on General File	532
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 340. By Gantz.

Jan. 30	Read first time	240
Feb. 1	Read second time. Referred to Committee on Judiciary	295
Feb. 27	Notice of hearing	455
Mar. 13	Placed on General File	556
May 31	Motion	1311
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 341. By Van Diest et al.

Jan. 30	Read first time	240
Feb. 1	Read second time. Referred to Committee on Agriculture	295
Feb. 8	Notice of hearing	324
Feb. 17	Placed on General File	391
Mar. 14	General File. Referred for review	576
Mar. 22	Select File	630
Mar. 23	Indefinitely postponed	645

LEGISLATIVE BILL NO. 342. By Klaver (By request).

Jan. 30	Read first time	240
Feb. 1	Read second time. Referred to Committee on Judiciary	295
Mar. 24	Notice of hearing	651
Apr. 6	Indefinitely postponed	785

LEGISLATIVE BILL NO. 343. By Craven.

Jan. 30	Read first time	240

		Page
Feb. 1	Read second time. Referred to Committee on Judiciary	295
Mar. 24	Notice of hearing	650
Apr. 3	Placed on General File	750
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 344. By Westley et al.

Jan. 30	Read first time	241
Feb. 1	Read second time. Referred to Committee on Agriculture	295
Feb. 15	Notice of hearing	364
Feb. 23	Placed on General File	435
Apr. 13	General File. Referred for review	836
Apr. 19	Placed on Select File	880
Apr. 20	Select File. Referred for engrossment	896
Apr. 24	Correctly engrossed	916
Apr. 26	Read third time and passed 35-1	943
Apr. 28	Correctly enrolled	955
Apr. 28	Signed by President	955
Apr. 28	Presented to Governor	959
May 2	Approved by Governor	1001

LEGISLATIVE BILL NO. 345. By Van Diest (By request).

Jan. 30	Read first time	241
Feb. 1	Read second time. Referred to Committee on Government	295
Mar. 9	Notice of hearing	531
Mar. 24	Placed on General File	651
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 346. By Van Diest (By request).

Jan. 30	Read first time	241
Feb. 1	Read second time. Referred to Committee on Government	295
Mar. 9	Notice of hearing	531
Mar. 24	Placed on General File	651
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 347. By Van Diest (By request).

Jan. 30	Read first time	241
Feb. 1	Read second time. Referred to Committee on Government	295
Mar. 9	Notice of hearing	531
Mar. 17	Placed on General File	596
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 348. By Doyle.

		Page
Jan. 30	Read first time	242
Feb. 1	Read second time. Referred to Committee on Public Works	295
Feb. 28	Notice of hearing	469
Apr. 6	Indefinitely postponed	779

LEGISLATIVE BILL NO. 349. By Craven.

Jan. 30	Read first time	242
Feb. 1	Read second time. Referred to Committee on Judiciary	295
Mar. 24	Notice of hearing	350
Apr. 3	Indefinitey postponed	749

LEGISLATIVE BILL NO. 350. By Doyle.

Jan. 30	Read first time	242
Feb. 1	Read second time. Referred to Committee on Public Works	295
Feb. 28	Notice of hearing	469
Apr. 3	Placed on General File	739
June 1	General File. Referred for review	1327
June 3	Placed on Select File	1374
June 3	Select File. Referred for engrossment	1377, 1387
June 3	Correctly engrossed	1391
June 6	Read third time and failed of passage with emergency clause 21-13	1420
June 6	Read third time and passed with emergency clause stricken 22-17	1421
June 6	Correctly enrolled	1423
June 6	Signed by President	1424
June 6	Presented to Governor	1426
	Became a law without Governor's approval	1440

LEGISLATIVE BILL NO. 351. By Doyle.

Jan. 30	Read first time	242
Feb. 1	Read second time. Referred to Committee on Labor and Public Welfare	295
Feb. 20	Notice of hearing	399
Mar. 8	Placed on General File	524
Mar. 17	General File	606
Mar. 21	General File. Referred for review	625
Apr. 3	Placed on Select File	752
Apr. 5	Select File. Referred for engrossment	773
Apr. 12	Correctly engrossed	822

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Apr. 14	Read third time and passed 41-1	855
Apr. 17	Correctly enrolled	868
Apr. 17	Signed by Speaker	868
Apr. 18	Presented to Governor	886
Apr. 20	Approved by Governor	910

LEGISLATIVE BILL NO. 352. By Johnston et al.

Jan. 30	Read first time	243
Feb. 1	Read second time. Referred to Committee on Government	295
Mar. 13	Notice of hearing	555
Mar. 21	Placed on General File	620
May 29	General File. Referred for review	1286
May 31	Placed on Select File	1296
May 31	Select File. Referred for engrossment	1306
June 1	Correctly engrossed	1331
June 3	Read third time and passed 37-0	1378
June 3	Correctly enrolled	1391
June 3	Signed by Speaker	1391
June 5	Presented to Governor	1392
June 8	Vetoed by Governor	1439

LEGISLATIVE BILL NO. 353. By Mekota.

Jan. 30	Read first time	243
Feb. 1	Read second time. Referred to Committee on Banking, Commerce and Insurance	295
Feb. 15	Notice of hearing	366
Mar. 7	Motion	520, 523
Mar. 29	Report	709
Apr. 12	Notice of hearing	820
May 10	Indefinitely postponed	1040

LEGISLATIVE BILL NO. 354. By Mekota.

Jan. 30	Read first time	243
Feb. 1	Read second time. Referred to Committee on Banking, Commerce and Insurance	295
Feb. 15	Notice of hearing	366
Mar. 7	Motion	520, 523
Mar. 29	Report	709
Apr. 12	Notice of hearing	820
May 10	Indefinitely postponed	1040

LEGISLATIVE BILL NO. 355. By Thomas et al.

Jan. 30	Read first time	243

		Page
Feb. 1	Read second time. Referred to Committee on Revenue	295
Mar. 1	Notice of hearing	479
Apr. 12	Placed on General File	820
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 356. By John Adams, Jr.

Jan. 30	Read first time	244
Feb. 1	Read second time. Referred to Committee on Public Works	295
Feb. 28	Notice of hearing	469
Apr. 6	Placed on General File	779
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 357. By Rossiter.

Jan. 30	Read first time	244
Feb. 1	Read second time. Referred to Committee on Education	295
Mar. 7	Notice of hearing	517
Mar. 22	Placed on General File	629
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 358. By Sorrell (By request).

Jan. 30	Read first time	245
Feb. 1	Read second time. Referred to Committee on Labor and Public Welfare	295
Mar. 6	Notice of hearing	498
Mar. 9	Notice of hearing	531
Apr. 11	Indefinitely postponed	811

LEGISLATIVE BILL NO. 359. By Sorrell et al.

Jan. 30	Read first time	245
Feb. 1	Read second time. Referred to Committee on Revenue	295
Mar. 8	Notice of hearing	523
Mar. 16	Notice of hearing	587
Mar. 27	Indefinitely postponed	673
Mar. 28	Motion	697

LEGISLATIVE BILL NO. 360. By Sorrell (By request).

Jan. 30	Read first time	245
Feb. 1	Read second time. Referred to Committee on Labor and Public Welfare	295
Mar. 6	Notice of hearing	498

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Mar. 9	Notice of hearing	531
Mar 17	Placed on General File	597
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 361. By Sorrell.

Jan. 30	Read first time	245
Feb. 1	Read second time. Referred to Committee on Judiciary	295
Mar. 24	Notice of hearing	651
Apr. 3	Indefinitely postponed	749

LEGISLATIVE BILL NO. 362. By John Adams, Jr.

Jan. 30	Read first time	246
Feb. 1	Read second time. Referred to Committee on Labor and Public Welfare	295
Feb. 14	Notice of hearing	357
Feb. 21	Placed on General File	415
Apr. 12	General File. Referred for review	826
Apr. 17	Replaced on General File	868
Apr. 18	General File. Referred for review	878
Apr. 19	Placed on Select File	886
Apr. 20	Select File. Referred for engrossment	896
Apr. 24	Correctly engrossed	916
Apr. 26	Laid over	944
Apr. 27	Laid over	951
May 2	Read third time and passed 37-0	977
May 3	Correctly enrolled	996
May 3	Signed by President	996
May 4	Presented to Governor	1009
May 6	Approved by Governor	1032

LEGISLATIVE BILL NO. 363. By Peterson.

Jan. 30	Read first time	246
Feb. 1	Read second time. Referred to Committee on Judiciary	295
Feb. 14	Notice of hearing	357
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 364. By Peterson.

Jan. 30	Read first time	246
Feb. 1	Read second time. Referred to Committee on Judiciary	295
Feb. 14	Notice of hearing	357
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 365. By Peterson.

		Page
Jan. 30	Read first time	246
Feb. 1	Read second time. Referred to Committee on Banking, Commerce and Insurance	295
Feb. 15	Notice of hearing	365
Mar. 6	Placed on General File	507
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 366. By Peterson.

Jan. 30	Read first time	246
Feb. 1	Read second time. Referred to Committee on Judiciary	295
Feb. 14	Notice of hearing	357
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 367. By Peterson.

Jan. 30	Read first time	246
Feb. 1	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	296
Feb. 9	Notice of hearing	333
Feb. 23	Notice of hearing	434
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 368. By Peterson.

Jan. 30	Read first time	247
Feb. 1	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	296
Feb. 9	Notice of hearing	333
Feb. 23	Notice of hearing	434
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 369. By Gutoski, Hastings.

Jan. 30	Read first time	247
Feb. 1	Read second time. Referred to Committee on Judiciary	296
Feb. 14	Notice of hearing	357
Apr. 6	Placed on General File	784
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 370. By Gutoski et al.

Jan. 30	Read first time	247
Feb. 1	Read second time. Referred to Committee on Government	296
Feb. 28	Notice of hearing	468

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Mar. 31	Indefinitely postponed	733
Mar. 31	Placed on General File	736
May 9	Motion	1035
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 371. By John Adams, Jr.

Jan. 30	Read first time	247
Feb. 1	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	296
Feb. 9	Notice of hearing	333
Feb. 23	Notice of hearing	434
Mar. 10	Notice of hearing	544
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 372. By Gutoski.

Jan. 30	Read first time	248
Feb. 1	Read second time. Referred to Committee on Judiciary	296
Feb. 14	Notice of hearing	357
Feb. 27	Placed on General File	458
May 11	General File. Referred for review	1062
May 26	Placed on Select File	1232
May 26	Select File. Laid over	1253
May 27	Select File. Laid over	1265
May 31	Select File. Referred for engrossment	1296
June 1	Correctly engrossed	1331
June 3	Read third time and failed of passage with emergency clause 13-20	1388
June 3	Read third time and failed of passage with emergency clause stricken 16-19	1389
June 5	Motion to reconsider	1394
June 5	Select File. Referred for engrossment	1395
June 5	Unanimous consent to strike amendment	1399
June 5	Correctly reengrossed	1399
June 7	Read third time and passed 33-7	1427
June 7	Correctly enrolled	1428
June 7	Signed by President	1428
June 7	Presented to Governor	1429
June 10	Approved by Governor	1442

LEGISLATIVE BILL NO. 373. By Klaver et al.

Jan. 30	Read first time	248
Feb. 1	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	296
Feb. 23	Notice of hearing	434

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Mar. 23	Notice of hearing	641
Apr. 21	Placed on General File	900
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 374. By Klaver et al.

Jan. 30	Read first time	248
Feb. 1	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	296
Feb. 23	Notice of hearing	434
Mar. 27	Placed on General File	663
May 31	General File. Referred for review	1312
June 1	Placed on Select File	1331
June 2	Select File. Referred for engrossment	1349, 1355
June 3	Correctly engrossed	1390
June 6	Read third time and passed 27-7	1404
June 6	Correctly enrolled	1415
June 6	Signed by President	1416
June 6	Presented to Governor	1425
June 8	Approved by Governor	1442

LEGISLATIVE BILL NO. 375. By Klaver.

Jan. 30.	Read first time	249
Feb. 1	Read second time. Referred to Committee on Judiciary	296
Mar. 9	Notice of hearing	531
Mar. 27	Placed on General File	680
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 376. By Herrick.

Jan. 30	Read first time	249
Feb. 1	Read second time. Referred to Committee on Government	296
Mar. 13	Notice of hearing	555
Mar. 21	Indefinitely postponed	621

LEGISLATIVE BILL NO. 377. By Diers et al.

Jan. 30	Read first time	249
Feb. 1	Read second time. Referred to Committee on Public Works	296
Feb. 28	Notice of hearing	469
Mar. 13	Indefinitely postponed	561
Mar. 15	Motion	582
Mar. 16	Motion	593

LEGISLATIVE BILL NO. 378. By Garber.

		Page
Jan. 30	Read first time	250
Feb. 1	Read second time. Referred to Committee on Government	296
Feb. 27	Notice of hearing	455
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 379. By Klaver.

Jan. 30	Read first time	250
Feb. 1	Read second time. Referred to Committee on Judiciary	296
Mar. 9	Notice of hearing	531
Apr. 6	Indefinitely postponed	785

LEGISLATIVE BILL NO. 380. By Klaver.

Jan. 30	Read first time	250
Feb. 1	Read second time. Referred to Committee on Banking, Commerce and Insurance	296
Feb. 15	Notice of hearing	366
Mar. 22	Indefinitely postponed	629

LEGISLATIVE BILL NO. 381. By Klaver.

Jan. 30	Read first time	250
Feb. 1	Read second time. Referred to Committee on Banking, Commerce and Insurance	296
Feb. 15	Notice of hearing	366
Mar. 7	Motion	520, 523
Mar. 29	Report	709
Apr. 12	Notice of hearing	820
May 10	Indefinitely postponed	1040

LEGISLATIVE BILL NO. 382. By Norman et al.

Jan. 30	Read first time	251
Feb. 1	Read second time. Referred to Committee on Judiciary	296
Mar. 22	Notice of hearing	628
Mar. 28	Placed on General File	694
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 383. By Norman, Tvrdik.

Jan. 30	Read first time	251
Feb. 1	Read second time. Referred to Committee on Public Works	296

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Mar. 21	Notice of hearing	619
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 384. By Norman, Tvrdik.

Jan. 30	Read first time	251
Feb. 1	Read second time. Referred to Committee on Judiciary	296
Feb. 14	Notice of hearing	357
Mar. 27	Indefinitely postponed	679

LEGISLATIVE BILL NO. 385. By Klaver.

Jan. 30	Read first time	251
Feb. 1	Read second time. Referred to Committee on Judiciary	296
Mar. 24	Notice of hearing	351
Apr. 6	Indefinitely postponed	785

LEGISLATIVE BILL NO. 386. By Von Seggern.

Jan. 30	Read first time	251
Feb. 1	Read second time. Referred to Committee on Public Works	296
Mar. 10	Notice of hearing	544
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 387. By Klaver.

Jan. 30	Read first time	252
Feb. 1	Read second time. Referred to Committee on Revenue	296
Mar. 10	Notice of hearing	544
Mar. 29	Indefinitely postponed	708

LEGISLATIVE BILL NO. 388. By Tvrdik et al.

Jan. 30	Read first time	252
Feb. 1	Read second time. Referred to Committee on Revenue	296
Mar. 8	Notice of hearing	523
Mar. 22	Placed on General File	630
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 389. By Doyle.

Jan. 30	Read first time	252
Feb. 1	Read second time. Referred to Committee on Labor and Public Welfare	296
Feb. 14	Notice of hearing	357
Feb. 20	Notice of hearing	399
Mar. 8	Placed on General File	524

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Mar. 21	General File. Laid over	626
Mar. 22	General File	639
Mar. 23	General File	645
Mar. 24	General File	656
Apr. 14	General File. Referred for review	862
Apr. 24	Placed on Select File	915
Apr. 25	Select File	928
Apr. 25	General File. Laid over	929
May 4	Motion. General File. Referred for engrossment	1004
May 9	Placed on Select File	1031
May 10	Select File. Referred for engrossment	1054
May 15	Correctly engrossed	1083
May 17	Read third time and passed 34-3	1120
May 19	Correctly enrolled	1173
May 19	Signed by Speaker	1173
May 19	Presented to Governor	1185
May 22	Approved by Governor	1191

LEGISLATIVE BILL NO. 390. By Doyle.

Jan. 30	Read first time	253
Feb. 1	Read second time. Referred to Committee on Appropriations	296
Feb. 17	Notice of hearing	391
Feb. 17	Referred to Committee on Public Works	396
Feb. 20	Notice of hearing	399
Apr. 3	Placed on General File	744
Apr. 18	General File. Laid over	879
May 4	Motion	1004
May 4	General File. Referred for review	1007
May 9	Placed on Select File	1029
May 10	Select File. Referred for engrossment	1054
May 12	Replaced on Select File	1072
May 12	Select File. Referred for engrossment	1073
May 15	Correctly engrossed	1083
May 15	Replaced on Select File	1091
May 19	Select File. Laid over	1148
May 23	Select File. Laid over	1203
May 24	Select File. Replaced on General File	1213
May 25	General File. Referred for reengrossment	1226
May 27	Replaced on Select File	1266
May 27	Select File. Referred for engrossment	1267
May 31	Correctly engrossed	1296
June 2	Read third time and passed 35-0	1361
June 5	Correctly enrolled	1393
June 5	Signed by President	1393

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June 6	Presented to Governor	1421
June 8	Approved by Governor	1442

LEGISLATIVE BILL NO. 391. By Mueller.

Jan. 30	Read first time	253
Feb. 1	Read second time. Referred to Committee on Public Works	296
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 392. By Mueller.

Jan. 30	Read first time	253
Feb. 1	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	296
Feb. 23	Notice of hearing	434
Apr. 21	Placed on General File	900
June 1	General File. Indefinitely postponed	1333

LEGISLATIVE BILL NO. 393. By Mueller.

Jan. 30	Read first time	253
Feb. 1	Read second time. Referred to Committee on Government	296
Mar. 23	Notice of hearing	640
Mar. 30	Placed on General File	722
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 394. By Mueller et al.

Jan. 30	Read first time	253
Feb. 1	Read second time. Referred to Committee on Government	296
Mar. 9	Notice of hearing	531
Mar. 17	Placed on General File	596
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 395. By Mueller.

Jan. 30	Read first time	254
Feb. 1	Read second time. Referred to Committee on Public Works	296
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 396. By Mueller et al.

Jan. 30	Read first time	254
Feb. 1	Read second time. Referred to Committee on Government	296

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Mar. 23	Notice of hearing	641
Mar. 31	Indefinitely postponed	732

LEGISLATIVE BILL NO. 397. By Mueller, Carlson.

Jan. 30	Read first time	254
Feb. 1	Read second time. Referred to Committee on Agriculture	297
Feb. 17	Notice of hearing	390
Apr. 21	Placed on General File	901
May 16	Motion	1102
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 398. By Neubauer.

Jan. 30	Read first time	255
Feb. 1	Read second time. Referred to Committee on Agriculture	297
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 399. By Gutoski et al.

Jan. 30	Read first time	255
Feb. 1	Read second time. Referred to Committee on Judiciary	297
Mar. 9	Notice of hearing	531
Mar. 27	Placed on General File	680
May 31	Indefinitely postponed	1312

LEGISLATIVE BILL NO. 400. By Carlson.

Jan. 30	Read first time	255
Feb. 1	Read second time. Referred to Committee on Revenue	297
Feb. 17	Notice of hearing	390
Mar. 27	Placed on General File	672
Apr. 27	Motion	948
May 10	Motion	1052
May 12	General File. Referred for review	1069
May 15	Placed on Select File	1079
May 17	Select File. Referred for engrossment	1125
May 23	Correctly engrossed	1203
May 26	Read third time and passed 41-0	1243
May 27	Correctly enrolled	1259
May 27	Signed by President	1259
May 27	Presented to Governor	1269
May 29	Approved by Governor	1280

LEGISLATIVE BILL NO. 401. By Dunn.

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Jan. 30	Read first time	255
Feb. 1	Read second time. Referred to Committee on Revenue	297
Feb. 17	Notice of hearing	391
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 402. By Thomas.

Jan. 30	Read first time	256
Feb. 1	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	297
Feb. 23	Notice of hearing	434
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 403. By Doyle.

Jan. 30	Read first time	256
Feb. 1	Read second time. Referred to Committee on Labor and Public Welfare	297
Feb. 20	Notice of hearing	399
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 404. By Klaver.

Jan. 30	Read first time	256
Feb. 1	Read second time. Referred to Committee on Judiciary	297
Mar. 24	Notice of hearing	651
Apr. 6	Indefinitely postponed	785

LEGISLATIVE BILL NO. 405. By Klaver.

Jan. 30	Read first time	256
Feb. 1	Read second time. Referred to Committee on Revenue	297
Mar. 10	Notice of hearing	544
Mar. 29	Indefinitely postponed	708

LEGISLATIVE BILL NO. 406. By Reed, Craven.

Jan. 30	Read first time	257
Feb. 1	Read second time. Referred to Committee on Banking, Commerce and Insurance	297
Feb. 15	Notice of hearing	365
Mar. 7	Motion	520, 523
Mar. 29	Report	709
Mar. 31	Notice of hearing	728
May 10	Indefinitely postponed	1040

LEGISLATIVE BILL NO. 407. By Thomas et al.

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Jan. 30	Read first time	257
Feb. 1	Read second time. Referred to Committee on Revenue	297
Mar. 1	Notice of hearing	479
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 408. By Committee on Judiciary.

Jan. 30	Read first time	257
Feb. 1	Read second time. Referred to Committee on Judiciary	297
Feb. 14	Notice of hearing	357
Mar. 6	Placed on General File	499
Mar. 6	Motion	510
May 11	General File. Referred for review	1059
May 19	Placed on Select File	1170
May 23	Select File. Referred for engrossment	1203
May 26	Correctly engrossed	1235
June 2	Read third time and passed 37-0	1350
June 5	Correctly enrolled	1393
June 5	Signed by President	1393
June 6	Presented to Governor	1421
June 8	Approved by Governor	1442

LEGISLATIVE BILL NO. 409. By Mueller et al.

Jan. 30	Read first time	258
Feb. 1	Read second time. Referred to Committee on Agriculture	297
Mar. 9	Notice of hearing	531
Mar. 24	Indefinitely postponed	651
Mar. 28	Motion. Placed on General File	697
June 1	General File. Referred for review	1325
June 2	Placed on Select File	1353
June 2	Select File. Referred for engrossment	1355
June 3	Correctly engrossed	1390
June 6	Read third time and passed 29-7	1402
June 6	Correctly enrolled	1408
June 6	Signed by Speaker	1408
June 6	Presented to Governor	1422
June 8	Approved by Governor	1442

LEGISLATIVE BILL NO. 410. By Thomas.

Jan. 30	Read first time	258
Feb. 1	Read second time. Referred to Committee on Government	297
Feb. 27	Notice of hearing	455

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Mar. 10	Placed on General File	547
Apr. 27	Motion	948
May 10	Motion	1053
May 12	General File. Referred for review	1070
May 16	Placed on Select File	1097
May 18	Select File. Referred for engrossment	1150
May 23	Correctly engrossed	1203
May 26	Read third time and passed 41-0	1242
May 27	Correctly enrolled	1259
May 27	Signed by President	1259
May 27	Presented to Governor	1269
May 29	Approved by Governor	1280

LEGISLATIVE BILL NO. 411. By John Adams, Jr.

Jan. 30	Read first time	259
Feb. 2	Read second time. Referred to Committee on Education	301
Mar. 7	Notice of hearing	517
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 412. By John Adams, Jr.

Jan. 30	Read first time	259
Feb. 2	Read second time. Referred to Committee on Banking, Commerce and Insurance	301
Feb. 15	Notice of hearing	366
Mar. 7	Motion	520, 523
Mar. 29	Report	709
Mar. 31	Notice of hearing	728
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 413. By E. A. Adams et al.

Jan. 30	Read first time	262
Feb. 2	Read second time. Referred to Committee on Government	301
Feb. 24	Referred to Committee on Education	451
Feb. 28	Notice of hearing	469
Mar. 8	Placed on General File	524
May 10	Motion	1053
May 10	General File. Referred for review	1055
May 15	Placed on Select File	1077
May 17	Indefinitely postponed	1124
May 22	Motion	1191

LEGISLATIVE BILL NO. 414. By Westley.

		Page
Jan. 30	Read first time	262
Feb. 2	Read second time. Referred to Committee on Government	301
Mar. 20	Notice of hearing	609
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 415. By Dunn (By request).

Jan. 30	Read first time	262
Feb. 2	Read second time. Referred to Committee on Claims and Deficiencies	301
Mar. 8	Notice of hearing	523
Mar. 15	Notice of hearing	580
Apr. 11	Indefinitely postponed	811

LEGISLATIVE BILL NO. 416. By Hastings et al.

Jan. 30	Read first time	263
Feb. 2	Read second time. Referred to Committee on Government	301
Feb. 27	Notice of hearing	455
Apr. 17	Placed on General File	867
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 417. By E. A. Adams.

Jan. 30	Read first time	263
Feb. 2	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	301
Feb. 9	Notice of hearing	333
Feb. 23	Notice of hearing	434
Mar. 10	Notice of hearing	544
Mar. 31	Placed on General File	728
Apr. 21	Motion	908
Apr. 21	General File. Referred for review	909
Apr. 25	Placed on Select File	923
Apr. 26	Select File. Referred for engrossment	945
Apr. 28	Correctly engrossed	955
May 2	Read third time and passed 40-0	978
May 3	Correctly enrolled	996
May 3	Signed by President	996
May 4	Presented to Governor	1009
May 4	Approved by Governor	1021

LEGISLATIVE BILL NO. 418. By Klaver.

Jan. 30	Read first time	263

		Page
Feb. 2	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	301
Feb. 9	Notice of hearing	333
Feb. 23	Notice of hearing	434
Mar. 10	Notice of hearing	544
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 419. By Westley.

Jan. 30	Read first time	264
Feb. 2	Read second time. Referred to Committee on Public Works	301
Mar. 10	Notice of hearing	544
Mar. 20	Placed on General File	609
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 420. By Von Seggern.

Jan. 30	Read first time	264
Feb. 2	Read second time. Referred to Committee on Claims and Deficiencies	301
Feb. 22	Notice of hearing	421
Mar. 10	Placed on General File	549
Mar. 15	Referred for review	584
Mar. 17	Placed on Select File	600
Mar. 20	Select File	617
Mar. 22	Referred for engrossment	638
Mar. 28	Correctly engrossed	696
Mar. 30	Read third time and passed 40-0	723
Mar. 31	Correctly enrolled	733
Mar. 31	Signed by President	733
Mar. 31	Presented to Governor	754
Apr. 3	Approved by Governor	756

LEGISLATIVE BILL NO. 421. By Neubauer.

Jan. 30	Read first time	264
Feb. 2	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	301
Feb. 6	Notice of hearing	310
Feb. 24	Indefinitely postponed	448

LEGISLATIVE BILL NO. 422. By Mueller.

Jan. 30	Read first time	264
Feb. 2	Read second time. Referred to Committee on Revenue	301

		Page
Feb. 22	Referred to Committee on Public Health and Miscellaneous Subjects	430
Feb. 23	Notice of hearing	434
Mar. 10	Notice of hearing	544
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 423. By Doyle, Howard.

Jan. 30	Read first time	264
Feb. 2	Read second time. Referred to Committee on Banking, Commerce and Insurance	301
Feb. 15	Notice of hearing	366
Mar. 7	Motion	520, 523
Apr. 12	Notice of hearing	820
May 10	Indefinitely postponed	1040

LEGISLATIVE BILL NO. 424. By Klaver.

Jan. 30	Read first time	265
Feb. 2	Read second time. Referred to Committee on Labor and Public Welfare	301
Feb. 27	Notice of hearing	455
Mar. 15	Indefinitely postponed	582

LEGISLATIVE BILL NO. 425. By Brady et al.

Jan. 30	Read first time	265
Feb. 2	Read second time. Referred to Committee on Agriculture	301
Feb. 15	Notice of hearing	364
Mar. 16	Placed on General File	588
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 426. By E. A. Adams.

Jan. 30	Read first time	265
Feb. 2	Read second time. Referred to Committee on Banking, Commerce and Insurance	301
Feb. 15	Notice of hearing	365
Mar. 7	Motion	520, 523
Mar. 29	Report	709
Mar. 31	Notice of hearing	728
Apr. 7	Placed on General File	793
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 427. By Craven, Dunn.

Jan. 30	Read first time	265

		Page
Feb. 2	Read second time. Referred to Committee on Labor and Public Welfare	301
Feb. 27	Notice of hearing	455
Mar. 27	Placed on General File	681
June 1	General File. Referred for review	1321
June 1	Replaced on General File	1324
June 1	General File. Referred for review	1324
June 1	Placed on Select File	1334
June 2	Indefinitely postponed	1349
June 3	Motion	1387

LEGISLATIVE BILL NO. 428. By Gantz.

Jan. 30	Read first time	265
Feb. 2	Read second time. Referred to Committee on Judiciary	301
Mar. 22	Notice of hearing	628
Apr. 7	Placed on General File	793
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 429. By Rossiter, John Adams, Jr.

Jan. 30	Read first time	265
Feb. 2	Read second time. Referred to Committee on Public Works	301
Feb. 17	Notice of hearing. Motion	391, 392
Feb. 20	Notice of hearing	399
Feb. 23	Indefinitely postponed	437
Feb. 23	Placed on General File	437
Feb. 23	General File. Referred for review	437, 444
Feb. 27	Placed on Select File	461
Feb. 27	Select File. Referred for engrossment	464
Feb. 27	Correctly engrossed	466
Mar. 1	Read third time and passed 37-1	493
Mar. 8	Correctly enrolled	524
Mar. 8	Signed by President	526
Mar. 8	Presented to Governor	534
Mar. 10	Recalled from Governor. Motion to reconsider	552
Mar. 10	Placed on Select File. Referred for engrossment	553
Mar. 10	Correctly engrossed	554
Mar. 14	Read third time and passed 32-0	577
Mar. 16	Correctly enrolled	591
Mar. 16	Signed by President	593
Mar. 16	Presented to Governor	604
Mar. 17	Approved by Governor	607

LEGISLATIVE BILL NO. 430. By Johnston, Craven.

		Page
Jan. 30	Read first time	266
Feb. 2	Read second time. Referred to Committee on Public Works	301
Mar. 21	Notice of hearing	619
Mar. 30	Notice of hearing	721
May 31	Motion	1306
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 431. By Hall.

Jan. 30	Read first time	266
Feb. 2	Read second time. Referred to Committee on Revenue	301
Mar. 10	Notice of hearing	544
Apr. 3	Placed on General File	751
Apr. 27	Motion	948
May 10	Motion	1053
May 12	General File. Referred for review	1070
May 23	Placed on Select File	1194
May 24	Select File. Referred for engrossment	1214
May 26	Correctly engrossed	1235
June 2	Referred to E and R for correction	1351
June 2	Correctly reengrossed	1365
June 5	Motion	1393
June 5	Read third time and passed 34-0	1398
June 6	Correctly enrolled	1415
June 6	Signed by President	1416
June 6	Presented to Governor	1425
June 8	Approved by Governor	1442

LEGISLATIVE BILL NO. 432. By Schultz (By request).

Jan. 30	Read first time	266
Feb. 2	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	302
Feb. 6	Notice of hearing	310
Mar. 27	Placed on General File	666
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 433. By Brodecky et al.

Jan. 30	Read first time	266
Feb. 2	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	302
Feb. 9	Notice of hearing	333
Apr. 6	Placed on General File	782
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 434. By Sorrell.

		Page
Jan. 30	Read first time	267
Feb. 2	Read second time. Referred to Committee on Agriculture	302
Feb. 24	Notice of hearing	446
Mar. 13	Placed on General File	565
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 435. By Carsten.

Jan. 30	Read first time	267
Feb. 2	Read second time. Referred to Committee on Banking, Commerce and Insurance	302
Feb. 15	Notice of hearing	365
Feb. 24	Indefinitely postponed	447

LEGISLATIVE BILL NO. 436. By Johnson.

Jan. 30	Read first time	267
Feb. 2	Read second time. Referred to Committee on Banking, Commerce and Insurance	302
Feb. 15	Notice of hearing	365
Mar. 1	Notice of hearing	479
Mar. 23	Placed on General File	642
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 437. By Thomas.

Jan. 30	Read first time	267
Feb. 2	Read second time. Referred to Committee on Judiciary	302
Feb. 27	Notice of hearing	455
Mar. 15	Placed on General File	581
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 438. By Reed.

Jan. 30	Read first time	268
Feb. 2	Read second time. Referred to Committee on Agriculture	302
Feb. 24	Notice of hearing	447
Mar. 10	Indefinitely postponed	544

LEGISLATIVE BILL NO. 439. By Reavis, Westley (By request).

Jan. 30	Read first time	268
Feb. 2	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	302

		Page
Feb. 6	Notice of hearing	310
Feb. 24	Indefinitely postponed	448

LEGISLATIVE BILL NO. 440. By Reavis, Westley (By request).

Jan. 30	Read first time	268
Feb. 2	Read second time. Referred to Committee on Government	302
Mar. 27	Notice of hearing	663
Apr. 3	Indefinitely postponed	749

LEGISLATIVE BILL NO. 441. By Carsten.

Jan. 30	Read first time	268
Feb. 2	Read second time. Referred to Committee on Government	302
Mar. 27	Notice of hearing	663
Apr. 3	Placed on General File	749
June 1	Referred for review	1332
June 3	Placed on Select File	1374
June 3	Select File. Referred for engrossment	1377
June 3	Correctly engrossed	1391
June 6	Read third time and passed 42-0	1413
June 6	Correctly enrolled	1417
June 6	Signed by President	1418
June 6	Presented to Governor	1425
June 8	Approved by Governor	1442

LEGISLATIVE BILL NO. 442. By Thomas.

Jan. 30	Read first time	269
Feb. 2	Read second time. Referred to Committee on Judiciary	302
Mar. 9	Notice of hearing	531
Mar. 15	Placed on General File	581
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 443. By Dunn, Neubauer.

Jan. 30	Read first time	269
Feb. 2	Read second time. Referred to Committee on Labor and Public Welfare	302
Feb. 20	Notice of hearing	399
Mar. 1	Indefinitely postponed	480
Mar. 7	Motion	519

LEGISLATIVE BILL NO. 444. By Gross (By request)

		Page
Jan. 30	Read first time	269
Feb. 2	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	302
Feb. 23	Notice of hearing	434
May 10	Placed on General File	1042
May 31	Motion	1311
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 445. By Dunn.

Jan. 30	Read first time	269
Feb. 2	Read second time. Referred to Committee on Labor and Public Welfare	302
Feb. 24	Notice of hearing	447
Mar. 10	Placed on General File	549
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 446. By Dunn.

Jan. 30	Read first time	269
Feb. 2	Read second time. Referred to Committee on Agriculture	302
Feb. 24	Notice of hearing	447
Mar. 10	Indefinitely postponed	544

LEGISLATIVE BILL NO. 447. By Dunn.

Jan. 30	Read first time	270
Feb. 2	Read second time. Referred to Committee on Labor and Public Welfare	302
Feb. 7	Notice of hearing	318
Mar. 15	Placed on General File	582
Mar. 23	Motion	645
Mar. 24	Motion	655
Mar. 30	General File. Laid over	725
Apr. 6	General File. Referred for review	791
May 2	Placed on Select File	969
May 3	Select File. Referred for engrossment	997
May 9	Correctly engrossed	1032
May 15	Motion	1085
May 17	Replaced on Select File	1118
May 17	Referred for reengrossment	1122
May 23	Replaced on Select File	1200
May 23	Referred for reengrossment	1205
May 24	Correctly engrossed	1211

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May 26	Replaced on Third Reading File	1236
May 26	Replaced on Select File	1236
May 26	Select File. Referred for reengrossment	1252
May 29	Correctly reengrossed	1271
June 2	Read third time and passed 37-0	1344
June 2	Correctly enrolled	1355
June 2	Signed by President	1355
June 2	Presented to Governor	1360
June 5	Approved by Governor	1396

LEGISLATIVE BILL NO. 448. By John Adams, Jr.

Jan. 30	Read first time	270
Feb. 2	Read second time. Referred to Committee on Labor and Public Welfare	302
Mar. 6	Notice of hearing	498
Mar. 28	Indefinitely postponed	694

LEGISLATIVE BILL NO. 449. By Doyle.

Jan 30	Read first time	270
Feb. 2	Read second time. Referred to Committee on Government	302
Mar. 23	Notice of hearing	641
May 16	Indefinitely postponed	1094

LEGISLATIVE BILL NO. 450. By Doyle, John Adams, Jr.

Jan. 30	Read first time	271
Feb. 2	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	302
Feb. 6	Notice of hearing	310
Feb. 9	Notice of hearing	333
Feb. 23	Notice of hearing	434
Mar. 31	Indefinitely postponed	728
Mar. 31	Placed on General File	736
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 451. By Doyle.

Jan. 30	Read first time	271
Feb. 2	Read second time. Referred to Committee on Labor and Public Welfare	302
Feb. 20	Notice of hearing	399
Apr. 12	Placed on General File	828
Apr. 18	General File. Laid over	878
Apr. 19	General File	888

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May 16	General File. Laid over	1105
May 19	General File. Indefinitely postponed	1180, 1182

LEGISLATIVE BILL NO. 452. By Doyle.

Jan. 30	Read first time	272
Feb. 2	Read second time. Referred to Committee on Revenue	302
Mar. 10	Notice of hearing	544
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 453. By Hall.

Jan. 30	Read first time	272
Feb. 2	Read second time. Referred to Committee on Government	302
Mar. 9	Notice of hearing	531
Mar. 17	Indefinitely postponed	596

LEGISLATIVE BILL NO. 454. By Craven, Dunn.

Jan. 30	Read first time	272
Feb. 2	Read second time. Referred to Committee on Judiciary	302
Mar. 24	Notice of hearing	651
Apr. 3	Placed on General File	749
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 455. By Craven et al.

Jan. 30	Read first time	272
Feb. 2	Read second time. Referred to Committee on Judiciary	302
Feb. 27	Notice of hearing	455
Mar. 9	Indefinitely postponed	532

LEGISLATIVE BILL NO. 456. By Craven et al.

Jan. 30	Read first time	272
Feb. 2	Read second time. Referred to Committee on Revenue	302
Mar. 10	Notice of hearing	544
Apr. 5	Indefinitely postponed	766

LEGISLATIVE BILL NO. 457. By Sorrell (By request).

Jan. 30	Read first time	273
Feb. 2	Read second time. Referred to Committee on Public Works	302

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Feb. 8	Motion	331
Mar. 10	Notice of hearing	544
Apr. 3	Indefinitely postponed	746

LEGISLATIVE BILL NO. 458. By Brady et al.

Jan. 30	Read first time	273
Jan. 31	Motion	290
Feb. 2	Read second time. Referred to Committee on Government	302
Feb. 27	Notice of hearing	455
Mar. 24	Placed on General File	651
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 459. By Hall.

Jan. 30	Read first time	273
Feb. 2	Read second time. Referred to Committee on Government	302
Mar. 27	Notice of hearing	663
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 460. By Committee on Appropriations.

Jan. 30	Read first time	273
Feb. 2	Read second time. Referred to Committee on Appropriations	302
Feb. 8	Notice of hearing	325
Apr. 14	Placed on General File	843
Apr. 19	General File. Referred for review	888
Apr. 25	Placed on Select File	923
Apr. 26	Referred for engrossment	945
Apr. 28	Replaced on Select File	955
May 1	Select File. Referred for engrossment	961
May 3	Correctly engrossed	996
May 5	Read third time and passed 39-0	1015
May 8	Correctly enrolled	1023
May 8	Signed by President	1023
May 8	Presented to Governor	1040
May 11	Approved by Governor	1065

LEGISLATIVE BILL NO. 461. By Committee on Appropriations.

Jan. 30	Read first time	274
Feb. 2	Read second time. Referred to Committee on Appropriations	302
Feb. 8	Notice of hearing	325

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Apr. 14	Placed on General File	842
Apr. 18	General File	879
Apr. 19	General File. Referred for review	888
Apr. 25	Placed on Select File	922
Apr. 26	Select File. Referred for engrossment	945
Apr. 28	Correctly engrossed	955
May 2	Read third time and passed 32-4	979
May 3	Correctly enrolled	996
May 3	Signed by President	996
May 4	Presented to Governor	1009
May 4	Approved by Governor	1021

LEGISLATIVE BILL NO. 462. By Committee on Appropriations.

Jan. 30	Read first time	274
Feb. 2	Read second time. Referred to Committee on Appropriations	302
Feb. 8	Notice of hearing	325
Apr. 14	Placed on General File	842
Apr. 19	Referred for review	888
Apr. 25	Placed on Select File	923
Apr. 27	Select File. Motion	951
May 1	Select File. Referred for engrossment	960
May 3	Correctly engrossed	996
May 5	Read third time and failed of passage 17-23	1012

LEGISLATIVE BILL NO. 463. By Gutoski.

Jan. 30	Read first time	274
Feb. 2	Read second time. Referred to Committee on Government	303
Mar. 27	Notice of hearing	663
May 24	Motion	1215
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 464. By Reed (By request).

Jan. 30	Read first time	274
Feb. 2	Read second time. Referred to Committee on Labor and Public Welfare	303
Mar. 6	Notice of hearing	498
Mar. 23	Indefinitely postponed	643

LEGISLATIVE BILL NO. 465. By Callan.

Jan. 30	Read first time	275
Feb. 2	Read second time. Referred to Committee on Education	303

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Feb. 21	Notice of hearing	411
Feb. 28	Placed on General File	472
May 12	Referred for review	1072
May 15	Placed on Select File	1081
May 17	Select File. Referred for engrossment	1126
May 23	Correctly engrossed	1203
May 26	Read third time and passed 33-0	1241
May 27	Correctly enrolled	1259
May 27	Signed by President	1259
May 27	Presented to Governor	1269
May 29	Approved by Governor	1280

LEGISLATIVE BILL NO. 466. By Doyle.

Jan. 30	Read first time	275
Feb. 2	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	303
Feb. 9	Notice of hearing	333
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 467. By Peterson.

Jan. 30	Read first time	275
Feb. 2	Read second time. Referred to Committee on Public Works	303
Mar. 10	Notice of hearing	544
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 468. By Peterson.

Jan. 30	Read first time	275
Feb. 2	Read second time. Referred to Committee on Banking, Commerce and Insurance	303
Feb. 15	Notice of hearing	366
Mar. 29	Placed on General File	708
June 1	General File. Indefinitely postponed	1326
June 3	Motion	1390

LEGISLATIVE BILL NO. 469. By Mueller.

Jan. 30	Read first time	276
Feb. 2	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	303
Feb. 9	Notice of hearing	333
Feb. 23	Notice of hearing	434
Mar. 10	Notice of hearing	544
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 470. By Van Diest.

		Page
Jan. 30	Read first time	276
Feb. 2	Read second time. Referred to Committee on Revenue	303
Mar. 10	Notice of hearing	544
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 471. By Thomas, Diers.

Jan. 30	Read first time	276
Feb. 2	Read second time. Referred to Committee on Appropriations	303
Feb. 8	Notice of hearing	325
Mar. 9	Notice of hearing	531
Apr. 14	Placed on General File	841
Apr. 18	General File. Laid over	879
May 10	General File. Laid over	1056
May 11	General File. Referred for review	1057
May 15	Placed on Select File	1083
May 17	Select File. Referred for engrossment	1126
May 23	Correctly engrossed	1203
May 26	Motion. Referred to Select File	1236
May 27	Referred for engrossment	1264
May 29	Correctly engrossed	1291
June 2	Read third time and failed of passage with emergency clause 23-15	1358
June 2	Read third time and passed with emergency clause stricken 22-16	1359
June 3	Correctly enrolled	1391
June 3	Signed by Speaker	1391
June 5	Presented to Governor	1392
June 5	Approved by Governor	1396

LEGISLATIVE BILL NO. 472. By Thomas et al.

Jan. 30	Read first time	276
Feb. 2	Read second time. Referred to Committee on Revenue	303
Feb. 8	Motion	331
Mar. 1	Notice of hearing	479
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 473. By E. A. Adams, Klaver.

Jan. 30	Read first time	276
Jan. 31	Motion	289
Feb. 2	Read second time. Referred to Committee on Education	303

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Feb. 28	Notice of hearing	469
Mar. 8	Placed on General File	524
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 474. By E. A. Adams et al.

Jan. 30	Read first time	277
Jan. 31	Motion	289
Feb. 2	Read second time. Referred to Committee on Appropriations	303
Mar. 1	Notice of hearing	479
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 475. By Gutoski.

Jan. 30	Read first time	277
Feb. 2	Read second time. Referred to Committee on Labor and Public Welfare	303
Feb. 24	Notice of hearing	447
Mar. 8	Indefinitely postponed	524
Mar. 9	Motion. Placed on General File	538
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 476. By Tvrdik (By request).

Jan. 30	Read first time	277
Feb. 2	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	303
Feb. 9	Notice of hearing	333
Mar. 23	Notice of hearing	641
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 477. By Klaver, Westley (By request).

Jan. 30	Read first time	277
Feb. 2	Read second time. Referred to Committee on Labor and Public Welfare	303
Feb. 27	Notice of hearing	455
Mar. 23	Indefinitely postponed	643

LEGISLATIVE BILL NO. 478. By Callan.

Jan. 30	Read first time	277
Feb. 2	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	303
Feb. 9	Notice of hearing	333
June 1	Indefinitely postponed	1338

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LEGISLATIVE BILL NO. 479. By Thomas.

Jan. 30	Read first time	278
Feb. 2	Read second time. Referred to Committee on Agriculture	303
Mar. 1	Notice of hearing	479
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 480. By E. A. Adams et al.

Jan. 30	Read first time	278
Feb. 2	Read second time. Referred to Committee on Judiciary	303
Mar. 9	Notice of hearing	531
Apr. 6	Indefinitely postponed	785

LEGISLATIVE BILL NO. 481. By Tvrdik.

Jan. 30	Read first time	278
Feb. 2	Read second time. Referred to Committee on Agriculture	303
Mar. 1	Notice of hearing	479
Mar. 29	Placed on General File	708
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 482. By Reed.

Jan. 30	Read first time	278
Feb. 2	Read second time. Referred to Committee on Labor and Public Welfare	303
Mar. 6	Notice of hearing	498
Apr. 11	Indefinitely postponed	812

LEGISLATIVE BILL NO. 483. By Garber.

Jan. 30	Read first time	279
Feb. 2	Read second time. Referred to Committee on Revenue	303
Feb. 7	Referred to Committee on Banking, Commerce and Insurance	318
Feb. 15	Notice of hearing	365
Mar. 13	Placed on General File	563
Mar. 14	Motion. Referred for review	577
Mar. 17	Placed on Select File	599
Mar. 20	Select File. Referred for engrossment	617
Mar. 22	Correctly engrossed	634
Mar. 27	Read third time and passed 39-0	689
Mar. 28	Correctly enrolled	696
Mar. 28	Signed by President	696
Mar. 28	Presented to Governor	709
Mar. 29	Approved by Governor	719

LEGISLATIVE BILL NO. 484. By Van Diest et al (By request).

		Page
Jan. 30	Read first time	279
Feb. 2	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	303
Feb. 9	Notice of hearing	333
Mar. 31	Placed on General File	729
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 485. By Peterson.

Jan. 30	Read first time	279
Feb. 2	Read second time. Referred to Committee on Judiciary	303
Feb. 14	Notice of hearing	357
Apr. 13	Placed on General File	830
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 486. By Norman, Thomas.

Jan. 30	Read first time	279
Feb. 2	Read second time. Referred to Committee on Revenue	303
Feb. 20	Motion	402
Feb. 22	Notice of hearing	422
Mar. 17	Placed on General File	596
Mar. 24	Motion	655
Mar. 29	General File. Laid over	719
Mar. 31	Motion	735
Apr. 3	Laid over	755
Apr. 5	Indefinitely postponed	775

LEGISLATIVE BILL NO. 487. By Tvrdik.

Jan. 30	Read first time	280
Feb. 2	Read second time. Referred to Committee on Revenue	303
Feb. 20	Motion	402
Feb. 22	Notice of hearing	422
Mar. 17	Placed on General File	596
Mar. 24	Motion	655
Mar. 29	General File. Laid over	719
Mar. 31	Motion	735
Apr. 3	Laid over	755
Apr. 5	General File. Referred for review	774
Apr. 28	Placed on Select File	953
May 1	Select File. Referred for engrossment	961

		Page
May 3	Correctly engrossed	996
May 5	Read third time and passed 38-0	1014
May 8	Correctly enrolled	1023
May 8	Signed by President	1023
May 8	Presented to Governor	1040
May 11	Approved by Governor	1065

LEGISLATIVE BILL NO. 488. By Committee on Appropriations.

Feb. 13	Read first time	351
Feb. 13	Read second time. Referred to Committee on Appropriations	352
Feb. 14	Withdrawn. Correction	361
Feb. 14	Read first time	362
Feb. 14	Read second time. Referred to Committee on Appropriations	362, 363
Feb. 15	Notice of hearing	364
Feb. 22	Placed on General File	422
Feb. 24	General File. Referred for review	452
Feb. 27	Placed on Select File	462
Feb. 27	Select File. Referred for engrossment	464
Feb. 27	Correctly engrossed	466
Mar. 1	Read third time and passed 38-0	494
Mar. 8	Correctly enrolled	524
Mar. 8	Signed by President	526
Mar. 8	Presented to Governor	534
Mar. 9	Approved by Governor	542

LEGISLATIVE BILL NO. 489. By Committee on Appropriations.

Feb. 15	Read first time	375
Feb. 15	Read second time. Referred to Committee on Appropriations	376
Feb. 16	Notice of hearing	378
Feb. 22	Placed on General File	422
Mar. 24	Referred for review	661
Mar. 28	Placed on Select File	696
Mar. 29	Select File. Referred for engrossment	718
Mar. 31	Correctly engrossed	733
Apr. 5	Replaced on Select File	772
Apr. 7	Motion. Referred for engrossment	801
Apr. 11	Correctly reengrossed	812
Apr. 14	Read third time and passed 40-0	854
Apr. 17	Correctly enrolled	868
Apr. 17	Signed by Speaker	868
Apr. 18	Presented to Governor	886
Apr. 20	Approved by Governor	910

LEGISLATIVE BILL NO. 490. By Miller.

		Page
Feb. 23	Read first time	443
Feb. 23	Read second time. Referred to Committee on Appropriations	443
Feb. 24	Notice of hearing	447
Mar. 1	Placed on General File	479
Mar. 9	General File. Referred for review	540
Mar. 16	Placed on Select File	590
Mar. 17	Referred for engrossment	605
Mar. 22	Correctly engrossed	634
Mar. 27	Read third time and passed 38-1	691
Mar. 30	Correctly enrolled	723
Mar. 30	Signed by President	723
Mar. 30	Presented to Governor	733
Mar. 30	Approved by Governor	737

LEGISLATIVE BILL NO. 491. By Committee on Education.

Feb. 28	Read first time	474
Feb. 28	Read second time. Referred to Committee on Education	474
Feb. 28	Notice of hearing	469
Mar. 8	Placed on General File	524
May 11	General File. Referred for review	1060
May 15	Placed on Select File	1082
May 17	Select File. Laid over	1126
May 18	Select File. Referred for engrossment	1148
May 23	Replaced on Select File	1202
May 24	Select File. Referred for engrossment	1215
May 26	Correctly reengrossed	1235
May 29	Read third time and passed 39-0	1277
May 29	Correctly enrolled	1291
May 29	Signed by President	1292
May 31	Presented to Governor	1306
June 1	Approved by Governor	1345

LEGISLATIVE BILL NO. 492. By Brady (By request of Governor).

Mar. 1	Read first time	487
Mar. 1	Read second time. Referred to Committee on Revenue	487
Mar. 15	Notice of hearing	580
Mar. 22	Placed on General File	630
Mar. 22	General File. Referred for review	638
Mar. 28	Placed on Select File	695
Mar. 29	Select File. Referred for engrossment	718

		Page
Mar. 31	Correctly engrossed	733
Apr. 5	Replaced on Select File	772
Apr. 7	Referred for reengrossment	801
Apr. 10	Replaced on Select File	807
Apr. 10	Select File. Referred for reengrossment	807
Apr. 12	Correctly reengrossed	822
Apr. 14	Read third time and passed 40-0	857
Apr. 17	Correctly enrolled	868
Apr. 17	Signed by Speaker	868
Apr. 18	Presented to Governor	886
Apr. 20	Approved by Governor	910

LEGISLATIVE BILL NO. 493. By Committee on Appropriations.
(By request of Governor.)

Mar. 6	Read first time	513
Mar. 6	Read second time. Referred to Committee on Appropriations	514
Mar. 6	Notice of hearing	498
Mar. 24	Placed on General File	651
Mar. 24	Referred for review	661
Mar. 28	Placed on Select File	695
Mar. 29	Select File. Referred for engrossment	718
Mar. 31	Correctly engrossed	733
Apr. 5	Read third time and passed 37-0	768
Apr. 7	Correctly enrolled	796
Apr. 7	Signed by President	802
Apr. 8	Presented to Governor	807
Apr. 8	Approved by Governor	816

LEGISLATIVE BILL NO. 494. By Committee on Appropriations.
(By request of Governor.)

Mar. 6	Read first time	514
Mar. 6	Read second time. Referred to Committee on Appropriations	514
Mar. 6	Notice of hearing	498
Mar. 24	Placed on General File	651
Mar. 24	Referred for review	661
Mar. 28	Placed on Select File	694
Mar. 29	Select File. Referred for engrossment	718
Apr. 5	Motion. Laid over	772
Apr. 7	Replaced on Select File	800
Apr. 7	Select File. Referred for engrossment	802
Apr. 14	Replaced on Select File	861
Apr. 14	Referred for engrossment	862

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Apr. 14	Correctly engrossed	864
Apr. 18	Read third time and passed 41-0	875
Apr. 19	Correctly enrolled	887
Apr. 19	Signed by President	887
Apr. 20	Message from Governor	899
Apr. 21	Recalled from Governor	900
Apr. 21	Motion. Replaced on Select File	907
Apr. 21	Select File. Referred for engrossment	907
Apr. 25	Replaced on Select File	922
Apr. 26	Select File. Referred for engrossment	944
Apr. 26	Correctly reengrossed	945
Apr. 28	Read third time and passed 34-0	956
Apr. 28	Correctly enrolled	956
Apr. 28	Signed by President	957
Apr. 28	Presented to Governor	959
Apr. 28	Approved by Governor	976

LEGISLATIVE BILL NO. 495. By Howard, Gross
(Special order of Legislature)

Mar. 20	Read first time	610
Mar. 20	Read second time. Referred to Committee on Public Works	611
Mar. 27	Notice of hearing	663
Apr. 3	Placed on General File	745
May 11	General File. Referred for review	1059
May 15	Placed on Select File	1077
May 17	Select File. Referred for engrossment	1124
May 23	Correctly engrossed	1203
May 26	Read third time and failed of passage with emergency clause 25-12	1240
May 26	Read third time and passed with emergency clause stricken 24-12	1241
May 27	Correctly enrolled	1259
May 27	Signed by President	1259
May 27	Presented to Governor	1269
May 31	Vetoed by Governor	1305

LEGISLATIVE BILL NO. 496. By Tvrdik.

Mar. 21	Read first time	621
Mar. 21	Read second time. Referred to Committee on Government	622
Mar. 23	Notice of hearing	641
Mar. 30	Placed on General File	722
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 497. By Mekota.
(By Special Order of Legislature)

		Page
Mar. 24	Read first time	654
Mar. 24	Read second time. Referred to Committee on Government	655
Mar. 27	Notice of hearing	663
Apr. 17	Placed on General File	867
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 498. By Mischke.
(By Special Order of Legislature).

Mar. 27	Read first time	689
Mar. 27	Read second time	689
Mar. 28	Referred to Committee on Revenue	704
Mar. 28	Notice of hearing	707
Apr. 5	Indefinitely postponed	766

LEGISLATIVE BILL NO. 499. By Insurance Investigation Committee.

Mar. 28	Read first time	701
Mar. 28	Notice of hearing	693
Mar. 28	Read second time. Referred to Committee on Banking, Commerce and Insurance	704
May 17	Motion	1117
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 500. By Insurance Investigation Committee.

Mar. 28	Read first time	701
Mar. 28	Notice of hearing	693
Mar. 28	Read second time. Referred to Committee on Banking, Commerce and Insurance	704
May 16	Placed on General File	1096
May 18	Motion	1153
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 501. By Insurance Investigation Committee.

Mar. 28	Read first time	701
Mar. 28	Notice of hearing	693
Mar. 28	Read second time. Referred to Committee on Banking, Commerce and Insurance	704
May 16	Indefinitely postponed	1094

LEGISLATIVE BILL NO. 502. By Insurance Investigation Committee.

Mar. 28	Read first time	701

		Page
Mar. 28	Notice of hearing	694
Mar. 28	Read second time. Referred to Committee on Banking, Commerce and Insurance	704
May 16	Indefinitely postponed	1094
May 17	Motion	1117

LEGISLATIVE BILL NO. 503. By Insurance Investigation Committee.

Mar. 28	Read first time	702
Mar. 28	Notice of hearing	694
Mar. 28	Read second time. Referred to Committee on Banking, Commerce and Insurance	704
May 16	Placed on General File	1096
May 18	Motion	1153
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 504. By Insurance Investigation Committee.

Mar. 28	Read first time	702
Mar. 28	Notice of hearing	694
Mar. 28	Read second time. Referred to Committee on Banking, Commerce and Insurance	704
May 16	Placed on General File	1095
May 18	Motion	1153
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 505. By Insurance Investigation Committee.

Mar. 28	Read first time	703
Mar. 28	Notice of hearing	694
Mar. 28	Read second time. Referred to Committee on Banking, Commerce and Insurance	704
May 16	Placed on General File	1095
May 18	Motion	1153
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 506. By Insurance Investigation Committee.

Mar. 28	Read first time	703
Mar. 28	Notice of hearing	694
Mar. 28	Read second time. Referred to Committee on Banking, Commerce and Insurance	704
June 1	Indefinitely postponed	1338

LEGISLATIVE BILL NO. 507. By Dunn.

Mar. 29	Read first time	712
Mar. 29	Read second time	713

		Page
Mar. 30	Notice of hearing	721
Mar. 30	Referred to Committee on Banking, Commerce and Insurance	723
May 10	Placed on General File	1040
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 508. By Committee on Revenue.

Mar. 31	Read first time	734
Mar. 31	Read second time. Referred to Committee on Revenue	734
Apr. 7	Notice of hearing	793
Apr. 12	Placed on General File	820
Apr. 12	Motion	822
Apr. 12	General File. Laid over	823
Apr. 13	General File. Laid over	833
May 11	Indefinitely postponed	1059

LEGISLATIVE BILL NO. 509. By Committee on Claims and Deficiencies.

Apr. 5	Read first time	767
Apr. 5	Read second time	767
Apr. 6	Referred to Committee on Judiciary	787
Apr. 6	Notice of hearing. Motion	779, 791
Apr. 17	Placed on General File	867
May 11	General File. Laid over	1060, 1061
May 25	Indefinitely postponed	1228

LEGISLATIVE BILL NO. 510. By Insurance Investigation Committee.

Apr. 6	Read first time	786
Apr. 6	Notice of hearing	778
Apr. 6	Read second time. Referred to Committee on Banking, Commerce and Insurance	787
May 16	Placed on General File	1095
May 18	Motion	1153
June 1	Indefinitely postponed	1337

LEGISLATIVE BILL NO. 511. By Insurance Investigation Committee.

Apr. 6	Read first time	786
Apr. 6	Notice of hearing	778
Apr. 6	Read second time. Referred to Committee on Banking, Commerce and Insurance	787
May 16	Indefinitely postponed	1094

LEGISLATIVE BILL NO. 512. By Insurance Investigation Committee.

		Page
Apr. 6	Read first time	786
Apr. 6	Notice of hearing	778
Apr. 6	Read second time. Referred to Committee on Banking, Commerce and Insurance	787
May 16	Indefinitely postponed	1094

LEGISLATIVE BILL NO. 513. By Insurance Investigation Committee.

		Page
Apr. 6	Read first time	786
Apr. 6	Notice of hearing	778
Apr. 6	Read second time. Referred to Committee on Banking, Commerce and Insurance	787
May 16	Indefinitely postponed	1094

LEGISLATIVE BILL NO. 514. By Insurance Investigation Committee.

		Page
Apr. 6	Read first time	787
Apr. 6	Notice of hearing	778
Apr. 6	Read second time. Referred to Committee on Banking, Commerce and Insurance	787
May 16	Indefinitely postponed	1095

LEGISLATIVE BILL NO. 515. By Committee on Appropriations.

		Page
Apr. 11	Read first time	814
Apr. 11	Read second time. Referred to Committee on Public Works	815
Apr. 12	Notice of hearing	820
May 2	Placed on General File	966
May 11	General File. Referred for review	1059
May 15	Placed on Select File	1078
May 17	Select File. Referred for engrossment	1125
May 23	Correctly engrossed	1203
May 26	Read third time and passed 40-0	1239
May 27	Correctly enrolled	1259
May 27	Signed by President	1259
May 27	Presented to Governor	1269
May 29	Approved by Governor	1280

LEGISLATIVE BILL NO. 516. By Committee on Appropriations.

		Page
Apr. 14	Read first time	863
Apr. 14	Read second time. Referred to Committee on Appropriations	864
Apr. 14	Notice of hearing	864
Apr. 26	Placed on General File	932

		Page
Apr. 26	Motion	933
Apr. 26	General File. Referred for engrossment	946
Apr. 27	Correctly engrossed	948
May 1	Read third time and passed 40-0	959
May 1	Correctly enrolled	960
May 1	Signed by President	960
May 1	Presented to Governor	996
May 2	Approved by Governor	987

LEGISLATIVE BILL NO. 517. By Committee on Claims and Deficiencies.

Apr. 27	Read first time	949
Apr. 27	Read second time. Placed on General File	949
May 4	Motion	1004, 1007
May 4	General File	1008
May 5	General File. Referred for review	1017, 1018
May 9	Placed on Select File	1030
May 10	Select File. Referred for engrossment	1054
May 15	Correctly engrossed	1083
May 18	Read third time and passed 33-0	1146
May 18	Correctly enrolled	1152
May 18	Signed by President	1152
May 18	Presented to Governor	1172
May 22	Approved by Governor in part	1205
June 1	Transmitted to Secretary of State	1326

LEGISLATIVE BILL NO. 518. By Callan (Special Order).

Apr. 27	Read first time	949
Apr. 27	Read second time. Referred to Committee on Appropriations	950
May 5	Placed on General File	1019
May 8	Referred for review	1026
May 12	Placed on Select File	1065
May 17	Referred for engrossment	1123
May 23	Correctly engrossed	1203
May 26	Read third time and passed 35-1	1238
May 27	Correctly enrolled	1259
May 27	Signed by President	1259
May 27	Presented to Governor	1269
May 29	Approved by Governor	1280

LEGISLATIVE BILL NO. 519. By Committee on Appropriations.

May 9	Read first time	1037
May 9	Read second time. Referred to Committee on Appropriations	1037

		Page
May 9	Placed on General File	1038
May 10	Referred for review	1056
May 15	Placed on Select File	1082
May 15	Select File. Referred for engrossment	1093
May 16	Correctly engrossed	1102
May 18	Read third time and passed 36-0	1147
May 18	Correctly enrolled	1152
May 18	Signed by President	1152
May 18	Presented to Governor	1172
May 18	Approved by Governor	1173

LEGISLATIVE BILL NO. 520. By Committee on Appropriations.

May 17	Read first time	1117
May 17	Read second time. Referred to Committee on Appropriations	1117
May 17	Placed on General File	1117
May 18	General File. Referred for review	1167
May 23	Placed on Select File	1194
May 24	Select File. Referred for engrossment	1214
May 26	Correctly engrossed	1235
May 29	Statement	1278
June 2	Replaced on Select File	1349
June 2	Select File. Referred for engrossment	1349
June 3	Correctly engrossed	1391
June 6	Read third time and passed 41-0	1410
June 6	Correctly enrolled	1417
June 6	Signed by President	1418
June 6	Presented to Governor	1425
June 8	Approved by Governor	1442

LEGISLATIVE BILL NO. 521. By Committee on Appropriations.

May 17	Read first time	1127
May 17	Read second time. Referred to Committee on Appropriations	1127
May 17	Placed on General File	1128
May 18	General File. Laid over	1167
May 19	General File. Motion	1184
May 22	General File	1189, 1192
May 23	General File	1207, 1209
May 24	General File	1216, 1217
May 25	General File. Referred for review	1223
May 29	Unanimous consent amendment	1278
May 29	Placed on Select File	1287
May 29	Motion	1289
May 29	Select File	1290

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May 31	Select File. Referred for engrossment	1298, 1303
June 1	Unanimous consent amendment	1320, 1338
June 1	Replaced on Select File	1320
June 1	Select File. Referred for engrossment	1320
June 1	Communication E and R committee	1323
June 2	Replaced on Select File	1363
June 2	Select File. Referred for engrossment	1364
June 2	Correctly engrossed	1364
June 3	Motion	1371
June 5	Motion. Replaced on Select File	1393, 1394
June 5	Select File. Referred for engrossment	1394
June 5	Correctly reengrossed	1399
June 7	Read third time and passed 41-0	1428
June 7	Correctly enrolled	1429
June 7	Signed by President	1429
June 7	Presented to Governor	1431
June 8	Approved by Governor	1442

LEGISLATIVE BILL NO. 522. By Committee on Appropriations.

May 27	Read first time	1261
May 27	Read second time. Referred to Committee on Appropriations	1262
May 27	Placed on General File	1262
May 29	Referred for review	1281
May 29	Placed on Select File	1291
May 31	Referred for engrossment	1304
June 1	Correctly engrossed	1331
June 3	Read third time and passed 41-0	1369
June 3	Correctly enrolled	1391
June 3	Signed by Speaker	1391
June 5	Presented to Governor	1392
June 5	Approved by Governor	1422

LEGISLATIVE BILL NO. 523. By Committee on Appropriations.

May 27	Read first time	1261
May 27	Read second time. Referred to Committee on Appropriations	1262
May 27	Placed on General File	1262
May 29	Referred for review	1282
May 29	Placed on Select File	1291
May 31	Referred for engrossment	1304
June 1	Correctly engrossed	1331
June 3	Read third time and passsed 37-0	1368
June 5	Correctly enrolled	1393
June 5	Signed by President	1393
June 6	Presented to Governor	1421
June 8	Approved by Governor	1442

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